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MEMORIALLS

OF

THE TRUBLES IN SCOTLAND

AND

IN ENGLAND.

MEMORIALLS

OF

THE TRUBLES IN SCOTLAND

AND

IN ENGLAND.

A. D. 1624—A. D. 1645.

By JOHN SPALDING.

IN TWO VOLUMES.

VOL. I.

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The Editar's Preface.

IT is somewhat singular that the chronicler, who, in these "Memorialls," has preserved so much curious information regarding the manners and fortunes of his contemporaries, has given us such scanty references to the events of his own humble lot. And it unfortunately has occurred, that any information on the subject, which might have been expected elsewhere, has long ago been lost, through an accidental destruction of records, to which research would naturally have been directed.

John Spalding, with whose name the work now printed has long been associated, is generally supposed to have been clerk of the Consistorial Court of the Diocese of Aberdeen. At the time when he lived, the business of the commissariot was transacted in chambers within the Cathedral at Old Aberdeen; but when the civil jurisdiction, which had formerly been vested in the bishops, had passed into other hands, the duties of the commissary were no longer per-

formed in the Cathedral, and his office was ultimately settled in a house in the Castle Street of the Burgh of Aberdeen. Here, on the 30th of October, 1721, the records of the commissariot were destroyed by an accidental fire, and with them the means of ascertaining any particulars as to the period of Spalding's official services as clerk of the establishment. We are almost equally ignorant of all other circumstances relating to Spalding's life, nor do the works of those who wrote on the subject upwards of a century ago, supply much beyond mere conjecture.[a]

Of the work in question three editions have already been printed.

The earliest notice of it occurs in an introduction by James Man to his projected "Memoirs of Scottish affairs from 1624 to 1651," which appeared in 1741. Man was Master of the Poor's Hospital at Aberdeen, and will be remembered as the editor of Buchanan's history, and the literary antagonist of Ruddiman.[b] He had made an extensive collection of manuscript authorities for his work, and among others, he proposed to make use of that of

[a] Of Spalding, the historian of the Gordons thus speaks in 1727, "He was a lawyer, an Advocate in Aberdeen." Gordon's History of the Gordons, vol. ii., p. 152. In 1741, James Man conjectures of Spalding, "I suppose him to have been a son of Alexander Spalding and Christian Harvey, who were married in 1608, and resided in Old Aberdeen, where 'tis certain our author lived, who has been a lawyer by profession." Gordon's Scots Affairs, Appendix to the Preface, p. xxxii. In the title of a copy of Spalding's Manuscript belonging to Dr. William Henderson of Aberdeen, which appears to have been transcribed in the early part of last century, the author is described as Commissary Clerk of Aberdeen. In Gough's Topography there is a notice of a manuscript copy of Spalding's work in the Library of King's College, and here the author is styled "Commissary Clerk of Aberdeen," as he is in the printed editions of his work in 1792 and 1829. From the following note, which occurs in a volume of Memoranda of the late Professor Thomas Gordon of King's College, it would appear that Spalding survived the Restoration: "Nota. 31st January, 1663, David Bishop of Aberdeen receives from Robert Forbes of Glastermuir £25 7s. 4d., as feu-duty of said lands, Mart. and Whit. 1661, and Mart. and Whit. 1662; Spalding is the writer thereof." (MS in the Library of King's College). The Deed here referred to has not, as yet, been traced. In the oldest manuscript there is no reference to the name of the author.

[b] Notices of Man will be found in "The Life of Thomas Ruddiman, A.M., by George Chalmers." p. 248. Lond., 1794.

Spalding. It does not appear, however, that any part of the "Memoirs" beyond the first number ever appeared. Proposals were made in 1765[a] for printing Spalding's history by subscription, but it was not till 1792 that an edition of it was published. The circumstances attending the production of that edition have been stated to be as follows, and will readily account for its worthlessness:—

"A manuscript copy, belonging to Sir James Reid of Barra, in Aberdeenshire, was, at his death, purchased for £5 by a bookseller of Aberdeen, with a view to publication. This design was accordingly commenced; but, without taking the trouble of comparing the manuscript with any of the other existing copies, and without submitting it to any examination whatever, it was placed sheet by sheet in the printer's hands; and, so far as the workmen were able to decypher the manuscript, forthwith printed, with no alteration except in the orthography. Neither did any correction of the press take place but what the printer himself chose to exercise. The manuscript was never returned from the workshop, but suffered to be destroyed piecemeal as waste paper. These facts seem abundantly sufficient to account for many of the errors and defects which characterise that publication. But the manuscript itself must have been defective, as a great proportion of the narrative not immediately connected with Aberdeenshire is omitted. It seems to have been merely a garbled copy of the Forbes Manuscript, as the same blanks which appear in that manuscript occur in the printed copy. The termination also is the same; which seems to evince that the transcriber was ignorant of the additional matter contained in the Troup Manuscript."[b]

In 1829 a reprint of this edition appeared at Aberdeen in one volume octavo.

During the same year there was printed for the members of the Bannatyne Club an edition of Spalding's work, in two volumes quarto, under the superintendence of James Skene, Esq., of Rubislaw, and David Laing, Esq., enhanced in its value and in-

[a] Gough's Topography, Vol. ii., p. 746. Lond. 1780.

[b] Spalding's History. Bannatyne Club Edition. Prefatory notice, p. iv.

terest by architectural illustrations from the well known pencil of Mr Skene. It would be superfluous to say that the edition of Spalding now referred to, was in every respect worthy of the literary ability for which its learned editors are known to all who are engaged in pursuits connected with the History of Scotland.

It appears, however, that it was only after the first volume of that edition had been printed from more modern versions of the manuscript,[a] that the editors were so fortunate as to obtain the use of a more ancient and genuine copy than either of the others, from the collection of the Earl of Fife at Skene House.

It thus happened that the first volume of the Bannatyne Club edition was printed from a collation of the Forbes and Troup manuscripts, while the second volume was printed from the Skene Manuscript; the discrepancies between the more modern copies and the Skene Manuscript, being added at the end of the first volume as "various readings."

The Council of the Spalding Club having, some time ago, resolved that the members should be possessed of an edition of that work, from whose author the Society has received its name, it was considered advisable to adhere exclusively to the text of the Skene Manuscript, for the use of which they have to acknowledge the liberality of its owner the Earl of Fife.

Accordingly, in the present edition, this manuscript has been followed throughout, in all its fluctuating orthography and arrange-

[a] Of these one was purchased by the Bannatyne Club from the collection of the late Alexander Garden Esquire of Troup. It appears to have been transcribed about 1720, and is in several respects incomplete. The other copy, written somewhat later, is preserved in the library of Lord Forbes at Castle Forbes. This, is, in some respects, a superior manuscript to the other, but its value is lessened by the liberties which the transcriber took in adapting the orthography of the original to his own standard.

ments, as being, in every respect, the most authentic version, if not the original manuscript of Spalding; and the marginal index of the Compiler has been, for the first time, printed opposite to the text, as it appears in the manuscript.

The question as to the originality of the Skene Manuscript cannot be more satisfactorily stated than in the words of the Editors of the Bannatyne Club edition:—

"The question of originality, as affecting this manuscript, is not without difficulty. There is much which would lead to the inference of its being from the pen of the author himself, while, at the same time, passages do occur of a somewhat doubtful character. Of these indications a few specimens will suffice. The work presents blanks of various lengths, obviously left for the subsequent insertion of facts, names, and dates, regarding which the author's information at the time of writing was probably inadequate. These accordingly, in many instances, are supplied by the same hand, but with different ink; and it seldom occurs that the new matter is at all commensurate with the blank that had been left for its insertion, a great portion of the space generally remaining unoccupied, such as no copyist would ever have left, had it been occasioned by his inability to decypher any particular passage. Judging from the difference in the ink, the marginal notes for a few pages back appear to have been brought up simultaneously with the insertion of these corrections, the proceeding to be naturally expected from a compiler, but not from a copyist. At page 372 of the Skene Manuscript, after enumerating a few of the persons concerned with a certain circumstance, a blank of two lines is left for the insertion of other names to be afterwards ascertained, and then the subject is resumed with the words, "and others." This blank, however, remains unsupplied, from the author having either failed to obtain the requisite information, or probably neglected to insert it. No copyist would have left this unnecessary blank, which does not appear in the other manuscripts.

In that portion of the manuscript, corresponding to the last line of the page 211, vol. ii., it is "Kirks of Scotland, Edinburgh," with the word "Scotland" erased, which could scarcely occur in a copy.

In pages 428, 429, of the manuscript, various additions and corrections occur in the same hand in which the text is written, but with differently coloured ink, and of a character which strongly implies the writer of that manuscript to have actually been the author.

On the other hand, in page 10, vol. ii., line 6 from the top, the words "out of their

purses," as taken from the Troup Manuscript, is in the Skene volume, "out of their purpose," which, if written by the author, seems an unaccountable mistake. And, in folio 430 of the manuscript, corresponding to page 57, vol. ii. of the present edition, where the destruction of the high altar of the cathedral is mentioned, the marginal note referring to the passage, bears "No sic thing true, as ye may heirefter see," which the text itself soon after confirms. The author cannot be supposed thus flatly to contradict himself." [a]

An explanation of the matter, to some extent, may be gathered from the following statement of James Man, which at the same time deprives Spalding of some share of the work, which has generally been wholly attributed to him. Among the manuscripts in the possession of Man, of which he proposed to make use in his "Memoirs," he refers to one by William Gordon of Dalmoir, entitled a Genealogical Account of the Family of Gordon and their cadets, with a note of their lives and fortunes. [b]

Of this work, Man adds, "there is little in it but mere genealogy, till we come to 1630, and the rest of it has been engrossed, almost word for word, by Spalding in his memoirs." [c]

If, therefore, we suppose that Spalding arranged his "Memorialls" from this work of William Gordon, as well as the materials which he had himself prepared, we may be able to discover some explanation of the difficulties above stated. On this supposition, it would of course be natural that the compiler should at a subsequent period correct or alter statements which he had copied from another author, if circumstances occurred to require it, and also,

[a] Spalding's History—Bann. Club, Edit. Prefatory Notice, pp. v., vi., vii.

[b] William Gordon of Dalmoir was one of two natural sons of Alexander Gordon of Strathawin, a cadet of the house of Cluny, and was slain by some of the clan Chattan in Dalmoir, leaving by his wife Isobel Grant four sons, Alexander in Cruchles, Thomas in Neve, John in Inverurie, and Adam in Achnascra. (Fragment of a Genealogical History of the Gordons, MS. in the editor's possession).

[c] Gordon's Scots Affairs, Vol. I., Appendix to Pref. pp. xxxii., xxxiii.

that he should amplify parts of the narrative where additional information, subsequently coming to his hands, enabled him to supply existing defects. That the work was prepared at a subsequent period, from notes previously made, seems obvious from the statement at page 11, "There is nothing noted in the yeirs of God 1626 and 1627 worthie of memorie, and therefore goes to 1628 for the notes of that yeir."

It will be observed also, that the writer frequently refers to the subject in a way which shows that he was merely arranging notes of events which were past, as when he says, "as to this, see afterwards;" "as to this, ye shall hear more heirafter," implying obviously that these notices were already in existence.

He also, at times, in his narrative, anticipates the order of events, "as it so fell out, and be thir nottis do appeir." Thus, under the year 1632, while describing the apoplexy by which the Bishop of Aberdeen was attacked in that year, he, at the same time, narrates his death, which did not occur till 1635, and which is described at greater length when he comes down to that year. The same anticipation occurs on another occasion, when the writer is describing the capture of James Grant, in December, 1630. His imprisonment at Elgin, which occurred in that month, his removal to Edinburgh in the succeeding spring, and his escape from the castle of Edinburgh, are told at the same time. On the next folio, the story is repeated, with some trifling additions, as if the writer had thought it necessary to give a connected view of the whole circumstances when the first notice of them occurs, and yet finding them occur in his notes, under the subsequent dates, he repeats the narrative again. And these repetitions occur throughout the

whole book, either arising from the above cause, or from the unskilful incorporation of two contemporaneous and distinct accounts into one narrative.

It may be thought that the style of the narrative occasionally indicates the work of two authors, although the compiler has invested the whole with a grotesque unity peculiar to himself. Thus, the pervading homeliness of the work, which seems to have disgusted the niceness of James Man, occasionally rises into a style of dignity and force which we should hardly expect from the simple chronicler of every-day occurrences. As specimens of this style, we may point to the summary of the character of George, Marquis of Huntly, and to the account given of the execution of Sir John Gordon of Haddo.[a]

There is also, at times, a fulness of information as to the proceedings of the Marquis of Huntly and of his friends in the north country, beyond what we should expect from a citizen of Old Aberdeen, but which might more naturally be expected from a kinsman, and an actor in the events narrated, while, elsewhere, there appears an ignorance of subjects more particularly connected with the burgh, which we should hardly anticipate in Spalding, and which it is difficult to account for, except on the supposition of the confusion resulting from the mixing up of two narratives into one.

Thus, it is stated that Patrick Leslie was elected Provost of Aberdeen at Michaelmas, 1634, and that being discharged from his office by virtue of a warrant from the King, Sir Paull Menzeis was re-elected in his place. But when the writer comes down to the year 1636, he says, "Ye hard befoir, folio 30, how *Robert*

[a] Gordon's Scots Affairs, Appendix to the Preface, p xxxii.

Johnstoun wes chosin prouest of Abirdein, in place of the deposit Patrik Leslie;" whereas, as is explained in the note at page 67, Robert Johnston was elected, under very singular circumstances, as successor to Sir Paull Menzeis, and in October, 1635. On comparing the account of the election of Mr. Alexander Jaffray as provost, given in the text, at page 68, with the correct statement from the Burgh Records, appended in the note at that page, it will be seen, either that the writer had only got some general information of the facts, or was writing from indistinct recollection.

In giving an account of the election of Dr. William Guild to be principal of King's College, the writer of the text has been led into the strange mistake of supposing that, by the original deed of foundation, a certain voice was conferred on the *Earls* of Lothian, Angus, Mar, and Moray, as representing the "four narrest countries about this colledge," in the election of a principal; and that the right thus created was, on this occasion, exercised by the procurators of these noblemen. This mistake is thus corrected on the margin. "Nota. The foundation beiris to four nationis, and not to four countreis, and thair procuratoris, with the foundit memberis to be at this election of principall, regent, or vther member. The king is no wayes patroun." The correct account of the proceedings of Dr. Guild's election will be found in the note at page 318.

The following are two of the notices where the writer introduces any mention of himself. The first occurs in his description of the battle at the Justice Mills in 1644: "And mony renegat Irishis baid behind, rifling and spoylling both Old toun and New toun pitifullie. And none durst bury the deid; yea, and I saw tua corpis careit to the buriall throw the Old toun with wemen onlie, and not

ane man amongst them, (so that the naikit corpis lay onbureit so long as thir lymmaris war ongone to the camp, albeit the livetennand himself, upone the same Mononday befoir he went out of the toune, gave ordouris to both Aberdenis to bury thair deid), quhilk thay did with feir of thair lives."

In narrating the subscription of the covenant in May, 1640, in the Church of Old Aberdeen, he says "and myself first subscrivit the Kingis covenant presentit by the Marques of Huntlie, glaidlie, in Old Abirdein. 2. I subscrivit, in the same place, ane vther covenant, presentit be the lairdis of Benholme and Auldbar; and thridlie, now this covenant not willinglie. Sie moir covenantis subscrivit."[a]

No separate version of the manuscript of Gordon of Dalmoir is now known to exist, although it seems obvious that James Man was in possession both of Gordon's work and that of Spalding separately, at the time when he wrote. We are therefore unable to indicate Gordon's share in the "Memorialls." But from Man's account of his work, it seems to have been mostly confined to a narrative of the fortunes of the family of Gordon, and although these certainly occupy a conspicuous position in the pages of the present work, yet apart from them, there will remain a mass of quaint and picturesque description of men and events, which would alone secure for Spalding's work, a high degree of appreciation.

It has been conjectured from certain passages of the work, that the writer had for a time been resident in Moray. Thus, speaking of the weather in 1634, he says: "The goiss symmer matchles fair in Moray, but wyndis, weitis, or ony storm; the cornes wes

[a] Vol. 1 page 278.

weill win, the gardyne herbis revivit, jonet[a] flowris and roissis springing at Martimes, quhilk myself pullit."[b] But, however this may be, it seems plain, notwithstanding of any temporary residence elsewhere, that the compiler's head quarters were in Old Aberdeen, and that he writes on all occasions with the feelings of a citizen of "glorious Aberdeen."

The running marginal index, or commentary already referred to, occasionally surpasses the text in grotesqueness of description, and even supplies us with information more specific than the text itself. Thus, at page 94, where the author is describing the outrages of John Dugar, he says in the text "he took out of the laird of Corss boundis also *ane brave gentilman tennant*, and duelling thair, and careit him with thame;" whereas the marginal notes show that it was *Mr. George Forbes* who was thus seized. And again, when he describes a visit of the Marquis of Huntly to Old Aberdeen to obtain signatures to the Confession of Faith of 1580, it is stated in the text (p. 114,) that "the bischop, the principall, the regentis, gentrie, and haill commonis of the toun willinglie obeyit and subscrivit the samen;" while on the margin, it is recorded "the bischop, principall, regentis, gentrie, and commonis subscrives, *except Mr. John Lundie grammarier.*"

Occasionally the marginal notes have the appearance of a sarcastic commentary on the text. Thus, while the latter informs us (p. 274,) that, "vpon the 26th of Maii, being Sonday, the Erll of Montroiss, now callit lykuaies Generall, with the rest of the nobles, hard deuotioun; bot the renegate soldiouris, in tyme of

[a] In former editions this word has been mistaken for *July* floweris. The jonette is described as "a kind of lily."—Jamieson's Dict., *sub voce* JONETTE.

[b] Vol. i. p 49.

both preichinges, is abuseing and plundering New Abirdein pitifullie, without regaird to God or man;" the marginal remarks record that "General Montroiss and nobles heiris devotioun," and then refer to the proceedings of the soldiers as "*Thair soldiouris deuotioun.*" And the "Articles of Bon-Accord," which General Monro required the magistrates to subscribe, are noticed on the margin as "scornfull, prydfull, and skaithfull articles for Aberdeen."

Spalding lived in eventful times, and his pages furnish us with an account, at once minute and forcible, of the miserable disorganization of society which inevitably attends all great national divisions. In the picture which he has drawn, we are enabled to follow the consequences of events much deeper in the current of society, than the general statements of national historians will carry us, and we can realize to our minds the position and the feelings of the various actors, as they are presented to us in these familiar and gossiping pages, in reading which we rather seem to be listening to the oral descriptions of a contemporary witness of events, than to be contemplating them in the page of history at a distance of two centuries.

The same facts and occurrences have, in all ages, presented themselves to different minds in various lights, and have led them to opposite conclusions; and it is not to be supposed that a person living in the midst of events so exciting and tragical, should speak of them with the calmness and impartiality, which even writers of our own day find it so difficult to attain in their histories of that period. Spalding accordingly, on all occasions, gives us his impressions of men and events, and these we must believe to have received a colouring from his prepossessions or his prejudices; but

as to his narrative of the facts and circumstances themselves, there seems no reason to question his candour or veracity, and, in reality, the work does not derive its value from the opinions of its compiler, but rather from the homely detail of minute facts, which are generally overlooked, and deemed unworthy of notice by those who write for posterity.

The illustrations in the Notes and in the Appendix to the Volume, have been selected, with the view not only of illustrating events which are noticed in the text, but for their separate value, as materials in filling up a picture of Scotch society in the northern districts, at a most interesting period of national history.

The manuscript sources from which these illustrations have been principally selected, are the Records of the Burgh of Aberdeen, the Minute Books of the King's College of Aberdeen, the Diary of Dr. John Forbes of Corse, and the Biographical Collections of the industrious Wodrow, in the Library of the University of Glasgow. But the most valuable and extensive illustrations have been obtained from the Records of the Privy Council, and the Records of Justiciary in the General Register House at Edinburgh. These records have furnished the materials for those articles in the Appendix to the First Volume, entitled "Burning of the Tower of Frendraught," "Broken Men," "Trial of Dame Katherine Forbes, Lady Rothiemay," and "Trial of Gilderoy and his Complices"

It is remarked by the Editors of the Bannatyne Club edition, that all the manuscripts are defective at the close, and to an uncertain extent. The Skene Manuscript terminates with folio 689, but, having previously referred to folio 725, shows a deficiency of at least 36 pages. The deficiency existed upwards of a century

ago, when James Man thus writes of the work:—"There's certainly a part of it lost, and I have heard of an abstract of that part continued to the year 1650. But after all the search I could possibly make, cannot find it out."

Various copies of Spalding's Work are in existence. One is in the Library of Lord Forbes at Castle Forbes, and another, formerly in the Library at Troup House, is now the property of the Bannatyne Club. Dr. William Henderson of Aberdeen has a copy of the MS. in his Library, and there is one in the Library of King's College; but the whole of these are transcripts, more or less correct, made in the course of last century. There is no title page to the Skene Manuscript, and the title of "Memorialls," given to the work in the present edition, has been assumed, as more closely defining its nature than that of a "History," which has hitherto been applied to it.

The Members will readily appreciate the munificent liberality of Lord Saltoun, one of the Vice-Presidents of the Club, who, out of a desire to promote its interests, has contributed this work to the Society at his own expense.

JOHN STUART.

ABERDEEN, *September*, 1850.

MEMORIALLS

OF

THE TRUBLES IN SCOTLAND

AND

IN ENGLAND.

MEMORIALLS OF THE TRUBLES

In *Scotland* and in *England.*

ANNO 1624.

EFTER THE DEATH AND BURIAL OF ANGOUSS M'INTOSHE OF AULDTIRLY, ALIAS ANGOUSS WILLIAMSONE (whiche wes a littil befoir Witsonday in the yeir of God 1624), his kyn and freindis of Clanchattan (whome he in his tyme held wnder reull and in peace, be his pouer and pollicie) beginis to call to mynd how James erll of Moray thair maister had cassin them out of thair kyndlie possessions quhilk (past memorie of man) their predicessoris and they had keipit, for small deutie, bot for thair faithfull seruice, And plantit in thair places, for payment of ane gryter deutie, a number of strangeris and febill persones vnhabill to serue the Erll thair maister, as thay could haue done, By whiche menis thir gentillmen wes brocht throw necessitie to gryt miserie: And thairwith considering thair younge Cheif the laird of M'Intoshe wes bot ane barne who (according to the Commoun Band)[a] micht not be anssuerabill for their misdeidis,

Angouss M°Intoshe deceissis:

his kyn grvdges with the Erll of Morray;

thair ressonis;

[a] The "Common Band," or "General Band," was the name given in popular speech to an Act of the Scottish Parliament of the year 1587, which was passed with the view of maintaining good order, both on the Borders and in the Highlands and Isles. The plan on which this Act chiefly proceeded was, "To make it imperative on all landlords, bailies, and chiefs of clans, to find sureties to a large amount, proportioned to their wealth and the number of their vassals or clansmen, for the peaceable and orderly behaviour of those under them. It was provided, that, if a superior, after having found the required sureties, should fail to make im-

thair resolutioun.

Thay go to armes:

thair number and capitans.

Thay keip the fieildis in thair armes.

Thay oppress and spolyie these who labourit thair possessionis.

Thay sorne throw the northlandis and spairis none.

Thay cast the Erllis land vaist, and leivis lyke outlawis:

thair confession and resolution.

The Erll sendis for Balquhidder men:

And thinking and calling to mynd how oft and how humelie they had craveit their kyndlie possessionis from the said Erll, bot culd not be hard nor find fauor, quhilk greivit thame in hiest degrie: Thay therefoir (fynding the tyme proper) pairtlie throw infancie of there young Cheif, and pairtlie throw the death of this worthie Chiftane (who by his wit and policie held thame still wnder aw and obedienss) disperatlie resoluis be force of armes ather to recover thair awin kyndlie possessionis, or vtheruayes to cast the samen waist, and none suld labour the ground, to pay ony deutie to the Erll. And to that effect about the said Feist of Witsonday 1624 (and efter the deceass of the said Angous Williamsone) thair brak out in armes about the number of tua hundreth of the principall gentilmen of that race and lynnage of Clanchattan, wnder the leiding of Lauchlen M'Intoshe, alias Lauchlen Og (vncle to this now laird of M'Intoshe) and Lauclan M'Intoshe or Lauchlan Angus-sone (eldest sone to the said vmquhill Angous Williamsoun), thair capitans. Thay keipit the feildis in thair Hieland weid vpone foote, with suordis bowis arrowis targis hagbuttis pistollis and vther Hieland armour, And first began to rob and spoilyie the Erllis tennentis who labourit thair possessionis, of thair haill goodis geir insicht plenishing hors nolt scheip cornes and cattell, and left them nothing that thay could gett within thair boundis, Syne fell in sorning, throw out Morray, Stratharik, Vrquhart, Ross, Sutherland, Bray of Mar and diuerss vther pairtis, taking thair mete and food perforce quher thay culd not get it willingly, fra freindis alssweill as fra their faes, yit still keipit thame selfis fra schedding of innocent blood. Thus thay leivit as outlawis oppressing the countrie (besydis the casting of the Erllis landis waist), And oppinlie avowit thay had tane this courss to get thair awin possessionis agane, or then hold the countrie walking. The Erll of Morray (michtellie greivit at the Clanchattan, to brak out in sic disordour, him self being duelling

mediate reparation of any injuries committed by persons for whom he was bound to answer, the injured party might proceed at law against the sureties for the amount of the damage sustained. Besides being compelled, in such cases, to reimburse his sureties, the superior was to incur a heavy fine to the Crown. This important statute likewise contained many useful provisions for facilitating the administration of justice in these rude districts." (Gregory's History of the Western Highlands and Islands of Scotland, p. 237, Edin.: 1836.)

in Morray) sendis schortlie, and bringis out of Menteithe and Balquhidder, about thrie hundreth Hilandmen, armit efter thair awin custome. Thir people, with the Erll him self, cam throw Morray to Inuerniss in battell rank. Thay stayit thair that nicht, and the Erll wes with hes goodbrother the Erll of Engyie,[a] in the castell,[b] weill intertaynde. Thir people stayit a while in the countrie vpone the Erllis gryte expenss, without seeing or seiking the Clanchattan, quherfoir the Erll send thame all bak agane the get thay cam. Aluaies the Erll returnit fra Inuerniss bak to Elgyne, and provydis ane vther company to go aganis the Clanchatan, bot thay did als littill seruice, and so returnit without fynding of the enemy first or last, albeit thay maid ane pretext of seiking of thame heir and thair, throw the countrie. Bot the Clanchattan nothing dismayit, becam moir furious and inrageit to rob and spoyll euerie manis goodis, quhereuer thay cam, whidder freind or fo, to the gryte hurt and skaith of the Kingis leiges. The Erll seing he could hardlie get thame supprest be force of armes, resolues upon vther courss to beir thame doun, Quhilk wes, he gois to London to King James, and humelie schowis the rysing of thir Clanchattan and that he could not get thame overcum and subdewit without ane Livetennandrie in the Northe, Which the King graciouslie grantit to him for sum few yeris, and to sit cognoss and decerne vpone four capitall poyntis allanerlie, speciallie set doun thairintill. The Erll returnis home, causis proclame his Liuetennandrie (quherat it wes thocht the houss of Huntlie wes sum what offendit, thinking none sould be Livetennand in the North bot thame selffis, albeit he wes his awin goodsone who had gottin it, to wit, the Marquess sone in law, who had mareit his eldest dochter), proclames letteris of intercommouning aganis the

thair number.

The Erll gois with them to Inuerniss.

Thay leive vpon his gryt expensis, did no good and is send home agane

The Erll provids another company, who did als litle good.

The Clanchattan becumis moir furiouss;

oppressis both freind and fo.

The Erll getis ane Liuetennandrie:

it is proclamit.

The Marquess is offendit.

Letteris of intercommouning aganis the Clanchattan:

[a] Eldest son of George, first Marquis of Huntly. The lands of the forest of Engzie, (sometimes written Ayne,) came into the possession of the family by the marriage of Alexander Seton of Gordon,—son of Alexander Seton, who married Elizabeth of Gordon, the heiress of Huntly,—to Egidia Hay, daughter and heiress of John de Hay of Tulibothi. A charter of confirmation, by James I. to Alexander Setoun of Gordoun, younger, and the said Egidia Hay, containing these and other lands, is dated 8th January, 1425-6. (Gordon Writs.)

[b] Alexander, Earl of Huntly, was made sheriff of the shire, and keeper of the Castle of Inverness, by charter from James IV., dated 16th January, 1508-9, wherein he got a grant of extensive lands for the support of a garrison in the Castle. (Gregory's History of the Highlands and Isles, p. 105. Miscell. of Spalding Club vol. iv., p. 152.)

Clanchattan, at the heid brughis of sindrie schires, that none sould recept supplie or intertyn onie of thame, wnder gryt panes and perell. Efter publicatioun of whiche letteris, the Clanchattans kyn and freinds (who had priuilie promesit thame assistans befoir thair braking out) beginis now to grow cold, fering thair estaitis, of whome sindrie wes welthie in landis and goodis, And simpliciter refusit thame recept help or supplie, for feir of the lawis. The Clanchattan

thair freindis is feirit, and growis cold;

thay refuse to help or supplie them.

[d] Sir Robert Gordon gives the following account of the rising of the Clanchattan:—

"This yeir of God 1624, ther wes great combustion likelie to aryse in the north of Scotland betuein the Earle of Morray and the Clanchattan, whose cheiff wes now bot a chyld of tender yeirs, his father, Sir Laghlan Makintoshie, being dead. The Clanchattan had bein alwayes faithfull dependers and followers of the Earles of Murray, and had gottin from them many good lands and possessions in Pettie and Strathern for their service. The Clanchattan, most eagerlie of all that faction, indevoared to revenge the Earle of Morraye's father's death vpon the Marquis of Huntlie dureing these troubles. Nevertheles the Earle of Morray (being now reconciled with Huntlie) goeth about to dispossess them [from divers of their habitations in Petty, which they had possessed for many ages], and to remove them from the lands which they had formerlie gotten for ther services from the Earles of Morray. This the Clanchattan could hardlie endure; and so assembling fyve hundred" [Sir Robert in a subsequent passage reduces the number to two hundred] "of their men and pertakers (vnder the conduct of thrie of the sones of Laghlane Macintoshie, and vncles to Sir Laghlane latelie deceased) they joyned together against the Earle of Murray [made ane incursion into Petty, took away and spoiled most part of the Earle's cornes ther, and pat him and his tennents in a great fright.] They goe to ane hous which he hath now of late built in Pettie (called Castell Stuart); they dryve away his servants from thence, and doe possess themselues of all the Earle of Murray his rents in Petty. Thus they intend to stand out against him. The Earle of Murray being scarce able by force to resist them (haveing no great dependencie besyds themselves,) he obteynes commissions against them, and letters of intercommuning, forbidding any of his Maiestie's leiges to resett them. He sends for some of the Stuarts of Atholl to assist him; bot those semed too weak to encounter the Clanchatten; therefor what he could not compas by force, he goeth about by airt to performe. He dealls secreitly with some of the principalls amongst them to betray the rest, which they doe bring to passe at last; and by these meanes he forceth them to a setleing which they accept, though to ther disadvantage. Commissions were appoynted for fyning the recepters of the Clanchattan, and for punishing such as did intercommun with them. The fynes wer granted by His Maiestie to the Earle of Murray, as the fynes for resetting and harbouring the Clangregar wer given to the Earl of Argyle; bot these fynes did not much advantage either of these tuo Earles. [Presentlie after the commission wes obteyned, the Clanchattan wer reconciled to the Earle, and were vsed by him as instruments against the King's other subjects, for proving them guiltie of the receipt, aiding, and harbouring of the Clanchattan; and whatsoever wes said by these rebells against any man, was admitted for good prooffe by the Earle, who wes both judge and pairtie; whereby the Earle of Murray, by vertue of his commission, did fyne and trouble most pairt of the King's subjects in the north, and cheiflie the inhabitants of the toun of Inuernesse.] And thus wes this tumult

seing this by expectatioun, beginis now to repent thair braking out, and seik the Erllis peace, quhilk by intercessioun of freindis wes grantit, provydit that thay sould give the Erll informatioun who

The Clanchattan repentis, seikis the Erllis peace, quhilk thay vpon conditiouns get.

of the Clanchattan appeased without much bloodshed, by the death and execution of tuo or thrie of their basest followers; which sturre (by all appearance) would have done the Earle of Morray much harme, iff the Clanchattan had stood to it." (Genealogical History of the Earldom of Sutherland, pp. 391, 392, 412, 413.)

The MS. memoir of the House of Kilravock, in narrating the circumstances of the dispute between the Macintoshes and the Earl of Moray has preserved the following incidents, not elsewhere recorded:—

"Provoked by this usage, the Earl (not trusting to his vassals and tenants in the low countries, against those desperate men) brought 300 Highlanders from Monteith and Balquidder, in the year 1623, and marched with them into Pettie. But Highlanders are too fond of *duchus*, to fight against those whose only crime is to maintain it; and the MacIntoshes had withdrawn into other countries. Wherefore, after these southern Highlanders had put the Earl to great charges, and done him no service, he dismissed them. In the autumn of that same year, the Earl returned to Pettie, with a great body of Lowlanders, mainly horsemen. But these did him as little service as his Highlanders had done: The MacIntoshes had withdrawn upon the Earl's approach, and returned again how soon he had removed.

"In this last expedition, 'tis said that Angus MacIntosh of Aldaurie (ancestor to Kylachie, and commonly called Angus Williamson, or rather, son of Donald MacWilliam) informed of the Earl's motions, set out to meet him, in a homely dress, without attendants, and riding on a little Highland nagg. Upon the heath or muir of Urquhart in Murray, some of the Earl's company meeting with Angus, brought him to his Lordship, who conferred with him to the purpose following: MURRAY. 'Are you Angus Williamson?' ANGUS. 'They commonly call me so, my Lord.' MURRAY. 'How have you the assurance to come into my presence?' ANGUS. 'I think any honest man may come into your Lordship's presence.' MURRAY. 'Honest man! Are you so, who seek to rob me of my lands and rents?' ANGUS. 'My Lord, I seek not to possess any of your lands; I have not touched any of your rents; I live upon my own little fortune, at a distance from Pettie; and, as long as I had youth and strength, your Lordship's father, and yourself, never had a more faithful servant, or a more firm friend: And though now I think you deal very ungratefullie with my friends, I scorn to take part with them in their present actions.' MURRAY. 'How insolent it is in your friends to threaten me, and to think to deter me from coming into my ain countrie?' ANGUS. 'You need not, my Lord, wonder at that; for if the wind of their wame could keep you back, you may believe that you should not cross Spey for twenty years to come.' MURRAY. 'You and your friends shall find, that I will not be frighted with bigg words.' ANGUS. 'I should be sorry you were; and I do assure your Lordship, that these men will not be easilie frighted. I am an old dieing man; and permit me to say, that you act against your own interest. Your present friends will soon desert you: They want that you and the Clanchatan should destroy one another; and when you have ado, who will stand by you as the Clanchatan have done? Be therefore advised, and be reconciled to them.' The Earl marched forward to Pettie, and there dismissed Angus, who died in the month of April 1624; and many were of opinion that his advice had good effects. (Lauchlan Shaw's Memoirs of the Family of Rose of Kilravock, pp. 45, 46, written about the year 1756. MS. in the possession of the Club.)

did recept or supplie thame efter publicatioun of the letteris of intercommouning, and to give wp thair names and prove the samen. Vpone this conditioun the Erll forgives thame and takis thame be the hand,

The Erll haldis justice courtis.

And schortlie beginis to hald justice courtis within the brughe of

Sum lounis ar execute, bot the principall malefactouris ar spairit:

Elgyn. Sum slicht louns folloueris of the Clanchattan wes execute, bot the principall outbrakeris and malefactouris wes spairit and neuer

the forme of this justice court.

trublit. This justice court wes fensit in the Erllis awin name, and in the name of the laird Innes, the laird Broddie, Mr Samuel Falconer of Knokcorth, and Mr Johne Hay, commissar of Morray, his

Recepteris and supplieris ar sumondit.

deputis, Befoir whome wes summondit all sic as had givin supplie recept or intercommoned with the Clanchattan; who durst not bot

The forme of process and probatioun.

compeir vtheruayis go to the horne, And being accusit thay could not bot deny. Then incontinentlie wes brocht in befoir the bar and

The Clanchattans vnhonest dealing:

in the honest menis faces, the Clanchattan who had gottin supplie, verefeit what they had gottin, And the honest men confoundit and

honest men ar forsit to cum in the Erlis will

dasht knew not what to ansuer, wes forsit to cum in the Erlls will quhilk wes not for thair weill: Vtheris compeirit and willinglie confessit trusting to get moir fauor at the Erllis handis, bot thay cam

vtheris standis out;

thay ar put to ane assise;

littil speid: And lastlie sum stood out and denyit all, who wes referrit to the tryell of ane assyse. The principall malefactouris stood wp in judgement and declairit what they had gottin, whidder meit

the Clanchattan proves all.

money clothing, gvn, boll, pulder lead suord durk and the like commoditeis, and alse instructit the assise in ilk particuler what thay

thay informe all.

had gottin fra the persons pennallit: Ane vncouth forme of probatioun quher the principall malefactour proves aganis his recepter for his awin pardon, And honest men perhapis nather of the Clanchattanis kyn nor blood pvnishit for their goodwill, ignorant of the lawis, and rather recepting thame moir for thair evil nor thair good.

Ane vncouth forme of probatioune.

Innocent men heighlie fynit:

Neuertheless thir innocent men wnder cullor of justice pairt and pairt as thay cam in war soundlie fynit in gryt soumes as thair estait micht beir, and sum above their estait wes fynit, And everie

thay ar wardit.

ane wardit within the tolbuith of Elgyne whill the leist myte wes payit of sic as wes perseuit in anno 1624.

ANNO 1625.

KING JAMES depairtis this lyf in the moneth of Marche 1625, King Charles renewis the Lieutennandrie, The Erll gois on quiklie and scharplie with his justice courtis aganis the brughe of Inuerniss Johne Grant of Glenmoristoun and vtheris who wold not cum in the Erllis will for recept of the Clanchattan, and pay him sic fynes as pleissit him to impose. Inuerniss standing to thair innocencie maid moyan befoir the counsall quhilk availlit nocht. Then thay send Duncane Forbes thair prouest[a] to the King, Johne Grant went also to complane to his Majestie, bot still the Erll who past also to the King set thame a syd and boor them doun. Thay returne all home, And the Erll fynit the burgh of Inuerniss in gryte soumes of money, And John Grant of Glenmoristoun agreis with him quyetlie efter he had maide gryt trauell and expenssis for his just defenss.

King James decesis: King Charlis renewis the Liuetennandrie. The Erll gois on aganis Inuerniss and Glenmoristoun and vtheris:

Inuerniss standis to thair innocency: thair moyan: thay send to the King: Glenmoristoun gois also:

The Erll beiris thame doun:

Thay cum all home:

Inuerniss is fynit:

Glenmoristoun agreis.

Thair wes sum miscontentment betuixt the Marques of Huntlie and his sone the Lord Gordoun on the ane pairt, and the said Erll of Mvrray on the vther pairt, touching the purchesing of this Lieutennandrie but thair counsall and advyss, Thay keip no society nor frequentis vtheris companeis.[b] The Erll be him self gois on with his

Sum miscontentment betuixt the house of Huntlie and the Erll touching this Liuetennandrie.

The Erll dois be himself.

[a] The founder of the house of Culloden, and the great grandfather of the well-known Lord President Forbes.

He was the eldest son of John Forbes of Bandley in Alford, who having died while his family were in infancy, they were brought up by their uncle William Forbes the seventh Laird of Tolquhon. When Duncan was about the age of sixteen he left Tolquhon to follow the fortunes of his aunt's second husband Thomas Fraser the Tutor of Lovat; and thus it may be said that in the sixteenth century, the house of Beaufort laid the foundations of that family which was the more immediate instrument of its overthrow in the eighteenth. After a somewhat unpromising youthhood he appears to have become steady and apt in the management of business—in which he was much employed by the Tutor of Lovat. In 1626 he purchased from the Laird of Macintosh the Estate of Culloden, and died in the year 1654. (Genealogy of the Family of Forbes, pp. 32, 66, 69–70. Inverness, 1819.)

[b] The historian of the Roses gives the following account of the jealousies to which this grant of the Lieutenancy of the North, gave rise:—'When the Earl [of Murray] was preparing for a vigorous prosecution, his commission was vacated by the death of King James VI. in March 1625. This brought him again to London, where his commission was renewed by King Charles. And upon his return, he gave a deputation to the lairds of Innes and Brodie, Mr Samuel Falconer of Kincorth, and Mr. John Hay commissary of Murray,

The Marques grudgis to sie innocent men abusit, yit beheld all.

Thay assistit sum whiche did litill good.

The Erll thocht vpon this and maid thame loiss tue schirrefschipis.

The countrie cassin louss throw this Lieutennandrie,

Livetennandrie, The Marques grudgis to sie the Kingis leiges who war just and innocent so abusit and fynit wnder cullour of ane law, yit held him quyet and behaldis all patientlie. Bot sum said both he and the Lord Gordoun assistit sum of thair freindis who wes persecute, And maid moyan secreitlie befoir the counsall and thairefter befoir the King quhilk did litle good, bot maid the Erll think vpone it when he fand occasioun. And as wes thocht he maide the Marquess to loiss the schirrefschipis both of Abirdein and Inuerniss, as ye sall heir, sie fol. 9. And in the meintyme the Marquess pvnishit not blood nor oppressioun bot referrit all to the Livetennand quherby the countrie wes cassin louss.

who proceeded with rigour and heavily fined many gentlemen. The town of Inverness was made to pay a great sum of money, though Duncan Forbes their provost went to court to interceed for them; and John Grant of Glenmorriston was glad to compound with these deputies. Many observing the Clanchatan overlooked, as if the Earl had been reconciled to them, while others were prosecuted, could not help thinking, that the whole was a farce, contrived for distressing particular persons. But, whatever private designs the Earl or his deputies had, the favour shewed to the Clanchatan was owing to the interposition of friends, and particularly to Kilravock, who interested himself much for them.

'The Marquis of Huntly, on whose family the office of Lieutennant had been usually conferred, envied the Earl's power, and complained to his Majesty, that he abused the trust committed to him, by prosecuting the innocent, and suffering the guilty to go unpunished, particularly the MacIntoshes, for prosecuting of whom that commission was granted. But the Marquis was not so much in favour with King Charles, as he had been with his father; and notwithstanding his interest and remonstrances, the Earl was continued in the Lieutenancy.

'And now, finding Angus Williamson's saying verified, he showed more favour to the MacIntoshes, though the sentence remained still in force against some of them; and he resented Huntly's behaviour. The King, at this time, laboured to obtain a surrender of the hereditary jurisdictions in Scotland, that he might annex them to the crown. And the Earl represented to him, that the Marquis of Huntly as sheriff principall of Aberdeen and Inverness counties, (this last comprehending, besides the present county, Ross, Sutherland, Strathnaver, and Caithness) had a jurisdiction and power too great for a subject, and too dangerous in those northern countries. Upon this, the King required the Marquis to resign these jurisdictions, which he did in the year 1629; for which the King agreed to pay him the sum of £5000 sterling, and granted precept upon the treasury of Scotland, dated 16th July 1629, for payment. But 'tis said, that no part of it was ever paid.

'Thus was Huntly divested of a jurisdiction that had stood in his family for above 160 years. And the Earl of Murray being (as he thought) sufficiently revenged, and reconciled to the MacIntoshes, whom he employed to apprehend the outlaw James Grant, resigned his commission of Lieutenancy in the year 1632; and the MacIntoshes kept their possessions in Pettie.' (Memoirs of the Family of Rose of Kilravock. MS.)

ANNIS 1626 AND 1627.

ITEM THAIR IS NOTHING NOTTIT in the yeiris of God 1626 and 1627 worthie of memoriall, And thairfor gois to 1628 for the nottis of that yeir.

ANNO 1628.

IN this yeir of God Johne Grant of Balnadallache and his complices follouit Johne Grant of Carroun to the wod of Abirnethie, Betuixt whome thair fell out ane hot skirmish quhair the said Jon Grant of Carroun wes cruellie slayne and [Thomas] Grant of Davey slayne on young Balnadallachis syde and diuerss vtheris hurt on both sydis quhilk blood lay onpunishit, sie fol. 8.[a]

Johne Grant of Carroun [and Thomas] Grant of Davey killit.

[a] The old hereditary feud which led to the skirmish in the forest of Abernethy, is sufficiently illustrated by Sir Robert Gordon, who seems to have written this passage of his book about the year 1630:

'John Roy Grant of Carron (the bastard sone of John Grant of Glenmoristoun) about some 80 yeirs ago' [*i. e.* about the year 1550], 'did invade and kill John Grant, the great-grandfather of John Grant of Ballendalloch, now liveing, at the persuasion and desire of the Laird of Grant, the Cheiff of that tryb, vpon some displeasure that the said Laird of Grant had conceaved against his kinsman, John Grant of Ballendallogh; which inveterat feid and malice hath continued among them from father to sone, evin vnto this day.

'Some divers yeirs agoe' [according to another authority in the year 1615], 'in the raigne of King James (of happie memorie) James Grant (one of the familie of Carron [surnamed James an Tuim]) being at a fair in the toun of Elgyn in Murray, and perceaveing one called Grant (of the familie of Ballendallogh) hotelie persueing his brother Thomas Grant, James Grant did oppose himselff; and seing his brother lying along in the street, hurt and wounded befor his eyes, he invaded the other so eagerlie and sharplie, that he killed him, and so fled away. Ballendallogh doth cite and summond James Grant befor the justice for this fact; who did not appeir at the prefixt day, and so wes outlawed. The Laird of Grant (Cheiff of the tryb) did dyvers tymes interpone his credet and auctoritie to reconcile them, bot all in vain. Ballendallogh wes obstinat, and wold hearken to no conditions of peace, though banishment of the partie, and satisfaction in goods and money wes offered vnto him. He wold yield to no reconciliation, without James Grant's

James Ogiluy killit be Banf.
Sum assythment.

And siclike about Michaelmes in the said yeir, The laird of Banf thairefter Lord of Banf[a] vnhappellie slew James Ogiluy his cusing being a propir gentilman. Thair wes sum assythment maid for this slauchter and he went peciablie.

blood. James perceaving that nothing bot his lyff could satisfie his enemies revengefull spight, he resolves vpon a desperat course, turnes rebell, and joynes to him a number of lawless associats, from all pairts of the Hielands of Scotland. Then they doe begin not onlie to molest and trouble ther own freinds and enemies, bot also divers of his Maiestie's other subjects, by spoillings and incursions. James Grant [an Tuim] invaded James Grant of Dalnebo (one of the familie of Ballendallogh) and killed him; and, continueing in this maner, he infinitely vexed and impoverished his enemies. In this meantyme, the Earle of Murray obteyned his commission of Livetennandrie, so that the pursueing and suppressing of James Grant fell within the compasse of his imployment. The Earle sendeth for divers supplies to pursue and invade James Grant, bot all in vain: He still escaps them, and brawes them to ther faces. This doth bot harden them, and animat James and the rest of the rebells, to commit further insolencies. John Grant of Carron (the nephue of James Grant) is supposed to be a manteyner and assister of his vncle vnderhand; which cannot be proved, though surmised. John Grant of Ballendallogh seiks all wayes and meanes to be revenged vpon Carron, a braive young gentleman of good expectation. Carron goeth from his owne house (accompanied with one Alexander Grant and seaven or eight others) to cutt down some timber in the woods of Abernethie. Ballendallogh imbraceth this occasion, conveines some sixtene of his friends, armes them, comes to the forrest wher Carron wes, and ther, vnder pretext of seiking James Grant and some others of his associats (against whom they had a commission), he invads Carron, who faught manfullie a long time; bot being unable to hold out, he is ther slain by the hands of Ballendallogh. Thomas Grant of Davie, Laghlan Mackintoshie of Rockinoyr, and some others of Ballendallogh's freinds, wer also then killed by Carron and Alexander Grant. Yit Alexander escaped, who afterward did vex and trouble Ballendallogh, killed divers of his men, and assisted James Grant to wast Ballendallogh his lands.

'Give me leave heir to remark the providence and secreit judgement of the Almightie God, who hath now mett Carron with the same measure that his forefather, Joh Roy Grant of Carron, did serve the ancestour of Ballendallogh; for vpon the same day of the moneth that John Roy Grant did kill the great-grandfather of Ballendallogh (being the eleventh day of September), the verie same day of this moneth wes Carron slain by this John Grant of Ballendallogh, many yeirs therefter. And, besides, as that John Roy Grant of Carron wes left handed, so is this John Grant of Ballendallogh left-handed also: And, moreover, it is to be observed, that Ballendallogh, at the killing of this Carron, had vpon him the same coat-of-armour, or maillie-coat which John Roy of Carron had vpon him at the slaughter of the great-grandfather of this Ballendalloch; which maillie-coat Ballendallogh had, a little befor this tyme, taken from James Grant [an Tuim], in a skirmish that passed betuixt them. Thus wee do sie that the judgments of God are inscrutable, and that, in his owne tyme, he punisheth blood by blood.' (Genealogical History of the Earldom of Sutherland, pp. 414–416.)

[a] Sir George Ogilvy of Banff, knight baronet, succeeded his father Walter Ogilvy of Banff, about the year 1626, and was created Lord Banff in the year 1642. He died in the year 1663. His grandson George, the third Lord, was burned in his castle of Inchdrewer, in the year 1713, under circumstances which have never been explained.

ANNO 1629.

ALEXANDER INNESS notar publict in Elgyn cruellie slew Robert Tulloche brother to [Alexander] Tulloche of Tainoquhy at the Panis Port in Elgyne about Witsonday 1629. He fled to Ireland, his wyf and children followit, bot forder pvnition.

Robert Tulloche killit be Alexander Inness:

he fled to Ireland.

ANNO 1630.

VPONE the first of Januar 1630 the laird of Frendraucht and his complices fell in ane trubill with Williame Gordon of Rothimay and his complices, quhair the said Williame wes vnhappelly slayne being a gallant gentilman, and on Frendracht's syde wes slayne George Gordoun brother to James Gordon of Lesmoir, and diuers vtheris wes hurt on both sydis.[a] The Marques of Huntly and sum

Williame Gordoun of Rothimay killit be Frendracht.

George Gordoun killit and sindrie hurt.

[a] Sir Robert Gordon who, as will be seen, was personally engaged in this affair, gives the following account of it:—

'Now I am to shew you the discord and variance which fell furth betuixt the Lairds of Frendret and Rothimay. These tuo gentlemen being neir nighbours, and ther lands confyning together, William Gordoun of Rothimay sould certane lands to James Crightoun of Frendret, which did merch with him. Ther happened some contention and stryff betwixt them for the salmond-fishing apperteyning to these lands; which wes prosecuted so eagerlie and bitterlie by them on either syd, that no freinds could get them reconciled, though the mater wes of no great moment. The Laird of Frendret prevailled at law against Rothimay, and procured him to be denunced rebell. Whilst Rothimay wes ansuerable to the lawes, and wes not declared nor proclaimed ane outlaw, the Laird of Frendraught did prosecute him with too much rigor and extremitie; bot after that he wes outlawed, then Rothimay wold hearken to no conditions of peace, neither would he follow the advyse of his wysest freinds. So assembling a number of loose and idle men, he indeavoared to wast Frendret's lands and to affront him. In end, the Laird of Frendret obteynes ane commission from the Lords of the Councell for apprehending the Laird of Rothimay and his associats. Frendret is assisted by Sir George Ogilvy of Bamff, George Gordoun (the brother-german of Sir James Gordoun of Lesmoir, and the vncle of Frendret) James Leslie (the second sone of the Laird of Pitcaple) John Meldrum of Reidhill and divers others. He goes accompanied with these from Frendret to the house of Rothimay, the first day of Jarie 1630 yeirs, with a

weill set freindis satlit this feid, and Frendracht ordaint to pay to the ladie relict of Rothimay and the barnes fyftie thousand merkis in compositioun of the slauchter, quhilk as wes said wes treulie payit.[a]

The Marques satlis this feid be compositioun.

resolution to apprehend the Laird of Rothimay, or to doo him some affront, seing that young Rothimay and some of his associats had a little befor come to the dores of Frendret to brave him. The Laird of Rothimay heiring of his coming, he forsakes his house, and crossing the river of Doverne he ryds towards Frendret, being accompanied with his eldest sone, John Gordoun, and some eight with muskets, of either syd. At their meitting ther wes a sharp conflict: Rothimayis horse wes slain, whereby he fell to the ground. He fought a whyle at foott; at last his company wer by force driven back from him, suffing his sone, who defended his father a long tyme, giveing and receaveing manie blowes; bot constrained he was to flie, and to saiff himselff. Rothimay haveing receaved divers wounds wes left for a deid man in the field; yit after the conflict he wes careid home to his house, wher he died within thrie dayis. George Gordoun (Lesmoir his brothir) being shott in the thigh with a musket in the skirmish, died within ten dayis therefter. Divers also on both syds wer hurt, amongst whom wes John Meldrum on Frendrit's syd sore wounded.' (History of the Earldom of Sutherland, pp. 416–17.)

went to Strathbogie to speik the Marquis of Huntly, and Sir William went to Aberdein to advyse and consult ther with divers gentlemen of that shyre, how he should proceid against the rebells.' On Sir Robert's arrival at Strathbogie, he found that the Marquis of Huntly had gone to Aberdeen to be present at the burial of the laird of Drum. 'The same verie day did James Grant and Alex^r. Grant come doun from the mountanes with 200 Hielandmen weill armed, with a resolution to burn and wast the laird of Frendret's lands; which Sir Robert Gordoun perceiving, he went with all speid to the hous of Rothimay, wher James Grant and the rest of James Grant's associats wer assembled in armes readie to set fourth, and ther delt so effectuallie with them that he dispersed them at that tyme, and moved James Grant and his associats to dissolve and to returne to ther own accustomed haunts; being assisted herein by his nephue the Earle of Sutherland, and his brother Sir Alex^r. Gordoun, who were then at Frendret with his sister, the lady of that place.' 'On the Marquis of Huntlie's returne to Strathbogie, both the parties met ther, wher the Marquis, Sir Robert Gordoun, and Sir William Seatoun delt so earnestlie and powerfullie with the pairties, that they did settle and finallie reconcile them by ane arbitrall decreit; by the which they adjudged the laird of Rothimay and the children of George Gordoun to remitt ther father's slaughter mutuallie, and in satisfactioun thereof, they decerned that the laird of Frendret should pay a certane summ of money to the laird of Rothimay, for relieff of his burdens which he had contracted dureing these troubles, and also should give some money to the children of George Gordoun, who wes then lykwise slain; which both Frendret obeyed and perfomed willinglie. And so all parties

[a] After the failure of other means which had been used, with the view of allaying the disturbances alluded to in the text, the Privy Council gave commission to Sir Robert Gordon and Sir William Seaton against the son of the slain laird of Rothiemay and his associates, who had now allied themselves with James Grant and his band, with the view of wasting the laird of Frendraught's lands. They were instructed at the same time to avail themselves of the Marquis of Huntly's mediation, if by any means peace could be restored, 'seing it had now passed the livetennent's power to pacifie that commotion.' 'Sir Robert

Vpone the 27 of September 1630, the laird of Frendracht haueing in his company Robert Crichtoun of Condlan, and James Leslie sone to Johne Leslie of Petcaple, with sum vther seruitouris, the said Robert efter sum speiches suddantlie schootis the said James Leslie throw the arme.[a] Thay war pairtit and he convoyit to Pet-

Robert Crichtoun hurtis James Leslie in Frendrachtis company.

haveing shaken hands in the orchard of Strathbogie, they wer hartilie reconciled. (Hist. of Earldom of Sutherland, pp. 418, 419.)

[a] Sir Robert Gordon's account of the quarrel between the laird of Frendraucht and the Leslies, is fuller than that in the text.

'Now followeth to shew you the occasion of the falling out betwein the lairds of Frendret and Pitcaple, which happened thus:—John Meldrum of Reidhill (who wes at the slaughter of Rothimay with Frendret, and wes wounded ther), conceaveing that Frendret did neyther acknowledge nor reward him according to his deserts, (though Frendret had done something for him), he falls a brawling with Frendret, and in a menaceing forme wold neids compell him to give him some recompence, which Frendret wold not doe, bot still neglecting the mater, delayed the same, and pat him off: Whervpon John Meldrum cometh secreitlie, vnder silence of the night, to the parke of Frendret, and conveyeth away tuo of Frendret's best horses. Frendret taketh this highlie, and calleth John Meldrum befor the justice for thift. He turneth rebell, and doth not appeir. Frendret obteyneth a commission from the lords of the councell to apprehend him. John Meldrum had mareid the sister of John Leslie of Pitcaple, and wes harboured and manteyned in his bounds. Frendret cometh to Pitcaple's lands to search and apprehend John Meldrum, and meitting with James Leslie, (the laird of Pitcaple his second sone), who had also bein at the slaughter of Rothimay with Frendret, he began to expostulat John Meldrum's bussines, who (as I have said) had mareid James Leslie's ant. The laird of Frendret took in good pairt all that James Leslie had said to him, becaus he had shed his blood formerlie with him at the killing of Rothimay; but a kinsman of his, called Robert Crichtoun of Conland, did so hotelie argue the bussines with James Leslie, that from words they fell to blowes. Conland shot James Leslie with a pistoll, and wounded him in the arme. Thus we sie, that those who were fellow pairtners in the shedding of another's blood, are now by the ears together, and are maid the revengers of another's quarrell. James Leslie wes careid home for a deid man, and Frendret returned to his owne house exceidinglie offended at Condland for wounding of James Leslie.

'Neverthles, vpon this accident, most pairt of the families of the surname of Leslie banded against Frendret and rose vp in armes. Frendret repaires first to the Marquis of Huntley, and then to the livetennant, the Earle of Murray, shewing how much he wes greived for that which had hapened to James Leslie, in respect of ther bygone familiaritie; therfore he intreated this broyle might be reconciled, and taken away freindlie. The Earle of Murray (distrusting his owne power either to suppresse the tumult, or to mitigat the pairtie) refuseth to deale in it. The Marquis sendeth for the Leslies, and for the Laird of Pitcaple, and laboureth seriouslie betuixt them for a reconciliation; whervnto Pitcaple wold not hearken, vntill he did know whether his sone James Leslie wold die or live, so the pairties dissolved. The Marquis deteineth Frendret with him tuo dayes afterward, in the Bog of Gight; and hearing that the Leslies had assembled and did ly in wait for Frendret at his returne home, he sent his sone, the Viscount of Melgum, and the Laird of Rothimay, to defend him, and to conduct him saiff to the house of Frendrett.

Frendrauchtis meitherin with the Erll of Murray, cums to the Bog.

caple, and the vther Frendracht schot out of his company. Like as Frendracht vpone Tuysday the 5 of October had confeirens with the Erll of Morray in Elgyne, and vpone the morne he cam to the Bog of Geicht,[a] quhair the Marques maid him welcum. Petcaple

Petcaple cums to the Bog and complanes vpon his awine sone.

luppis on about 30 hors in jak and speir (heiring of Frendrachtis being in the Bog) vpon Thuirsday the 7 of October and cam to the Marques, who befoir his cuming had discreitlie directit Frendracht to confer with his lady. Petcaple hanelie complaines of the hurt

His sonis wownde.

his sone had gottin in Frendracht's company, and rashlie avowit to

The Marques answer.

be reveagit befoir he went home. The Marques alledgit Frendracht had done no wrong, and dissuadit him fra ony truble. Petcapill

Petcaples rydis his way

displeisit with the Marques suddantlie went to hors, and that samen day rydis his awin wayis leaveng Frendracht behind him in

The Marques reveillis to Frendracht thair confeirens, and keipis him all that nicht.

the Bog, to whom the Marques reveillit what confeirens wes betuixt him and Petcaple, and held him all that nicht, and wold not let him go. Vpone the morne being Frydday and aucht of October,

The Marques directis the Lord Aboyne to convoy Frendracht home.

the Marques causit Frendracht to brakfast lovinglie and kyndlie. Efter brakfast the Marques directis his deir sone Johne Viscount of Aboyne[a] with sum servandis to convoy Frendracht home to his awin

Being aryved ther, Frendret and his lady detenned them for that night, to rest themselves, and did their best, with all demonstration of love and kyndnes, to interteyn them; thinking themselves happie now to have purchased such freinds, who had formerlie bein ther foes. Bot that happines wes bot short and momentaniall; for the same night the tour of Frendret (wherein ther guests did ly) wes brunt, and they also within it, as I have alreade set down.' (Hist. of Earldom of Sutherland, pp. 419, 420.)

[a] The old square tower of 'The Bog,' now somewhat obscured by the more recent erections which surround it, is said to have been built by George, second Earl of Huntly. The name by which this ancient castle was most usually designated, was that of 'The Bog,' or 'Bog of Gicht.' The founder during his lifetime occasionally styled it the Newark on Spey. A charter by this Earl to John Grant of Freuchy of the lands of the two Cullerlies in Aberdeenshire, dated 28th April, 1493, bears to be granted 'Apud Palacium nostrum de Newark.' (Orig. belonging to the Club.) In an Act of Parliament in favour of George Duke of Gordon in 1685, there is a clause ordaining the Bogue to be called Gordon Castle in all time coming (Acts of the Parliament of Scotland, vol. viii., p. 506.)

[a] John, second son of George first Marquis of Huntly, was created Viscount Melgum by patent, dated 20th October, 1627. After his unhappy death in the Tower of Frendraught, a subsequent patent, narrating his Majesty's desire that the former title of Viscount should be revived in the family, conferred that honour on his elder brother George, under the stile of Viscount Aboyne, during the lifetime of the Marquis his father, with limitation after his succession to the Marquisate, to James his son, and his heirs male bearing the name and arms

hous, if Petcaple wes laid for him be the way. Johne Gordoun eldest sone to the lait slayne laird of Rothimay hapnit to be in the Bog, who wold go also with Aboyne. Thay ryde but inteiruptioun to the place of Frendracht, or sicht of Petcaple be the way. Aboyne tuke his leive from the laird, bot vpone no conditioun he and his ladie wold not suffer him to go nor none that wes with him that nicht, bot ernestlie vrgit him (thogh aganes his will) to byd. Thay war weill intertaynde, souppit mirrellie, and to bed went joyfullie.[a] The Viscount wes laid in ane bed in the old tower (going af of the hall) and standing vpone volt, quhairin thair wes ane round hoill devysit of old just wnder Aboyne's bed. Robert Gordoun borne in Sutherland his seruitour, and Inglish Will his page, wes both laid besyde him in the samen chalmer. The laird of Rothimay with sum seruandis besyde him wes laid in ane vpper chalmer just above Aboyne's chalmer, and in ane vther roume aboue that chalmer wes laid George Chalmer of Noth and George Gordoun, ane vther of the Viscountis seruandis, with quhom also wes laid capiten Rollok then in Frendrachtis awin company. Thus all being at rest about midnicht that dolorous towr[b] tuke fyre in so suddant and furious maner, yea and in ane clap, that this noble Viscount, the laird of Rothimay, Inglish Will, Collein Ivat, ane vther of Aboyne's seruitouris

Thay go peciablie.

Frendracht holdis him all nicht.

Thay soup and gois to bed.

The maner how thay war laid.

The tour takis fyre.

The Viscount, Rothimay, and vtheris brynt to the deith.

of Gordon. (Riddell on Peerage and Consistorial Law, vol. ii., pp. 624. 1020-21.)

[a] In the dittay against John Tosh or Toschach, one of the laird of Frendraught's servants, who was tried for his share in the fire raising, it is stated that the laird 'haiveing remanet all that nycht with our said trustie cousing, [the Marquis of Huntly] weill and louinglie interteinit be him and his lady within thair said place of the Bog, quha upone the moirne thairefter tuik his guid nycht or fairweill, being the aucht day of the said moneth of October, and coming to the convoy and companie of the said Lord Viscount of Melgwme, the said laird of Rothimay and thair servandis and followeris aboue writtin, saiflie hame to the said laird of Frendraucht, the said John Viscount of Melgwme being altogidder resoluit at that time, with his companie, to returne bak to his father to his said place of the Boig, nawayis mindful to have stayit in Frendraucht that nycht: He notwithstanding thairof, be the ernest request, prayer, and intercessioun of the said laird of Frendraucht and his ladie, was forcit and compellit, in loveing and freindlie forme as appearit, togidder with his haill companie above written, to stay and abyde with thame that nycht, and to soupe with thame, and eftir souper, thair beddis being prepairit and maid within the chalmeris of the toure of the said place,' &c., (See Appendix.)

[b] In the address of Mr. John M'Gill, Advocate, to the Jury, as Counsel for John Meldrum, who was tried for the fire raising, (see Appendix) he says of the Tower:—"Consider the soleidnes of the wall and cloisnes. gif thair was ony slit thairin it was verrie narow, and the wall ten footes thik or thairabout."

and vther tua being six in number, war cruellie brynt and tormentit to the death but help or releif, the laird of Frendracht his ladie and haill houshold looking on without moveing or sturring to deliuer thame fra the furie of this feirfull fyre as wes reportit.

Frendrachtis careage.

Robert Gordoun, callit Sutherland Robert, being in the Viscountis chalmer escaipit this fyre with his lyf. George Chalmer and Capitane Rollok being in the third roume escaipit also this fyre, and as wes said Aboyne micht haue saiffit him self also if he had gone out of durris, quhilk he wold not do bot suddantlie ran wp stairis to Rothimayis chalmer, and walkint him to rys ;[a] and as he is walkning him the tymber passage and lofting of the chalmer haistellie takis fyre, so that none of them could wyn doun stairis agane: so they turnit to ane wyndo luiking to the clois quhair thay piteouslie cryit help, help, mony tymes, for Godis caus. The laird and the ladie with thair seruandis all seing and heiring this wofull crying bot maid no help nor maner of helping, whiche thay perceaving, thay cryit often tyms mercie at Godis handis for thair synis, syne claspit in vther armes and cheirfullie sufferit this cruell martyrdome. Thus deit this noble Viscount of singular expectation, Rothimay a brave youth, and the rest be this dulefull fyre neuer aneuche to be deploirit, to the gryt greife and sorrow of thair kyn, freindis, parentis, and haill countrie people, especiallie to the noble Marques, who for his goodwill gat this rewaird. No man can expres the dolour of him and his lady, nor yit the greif of the Viscountis awin deir ladie when it cam to hir eiris, whiche scho keipit to hir deing day, disdayning euer the company of man thairefter in the rest of hir liftyme following the love of the turtle dow.

Sum escaipis this fyre.

The form how Aboyne and Rothimay deit in this fyre, pitifullie crying for help.

Frendracht maks no help.

This feirful accident wes sorrowfull to thair freindis, and to the Marques and his lady.

The Lady Abyone's gryt greif.

Howsone the Marques gettis word, he directis sum freindis to tak wp thair ashes and brynt boneis quhilk thay culd get, and as thay culd be kend to put ilkanes asses and bones in a kist being six kistis in the haill, which with gryte sorrow and cair wes had to the kirk of Garntullie, and thair bureit.[b] In the meintyme the Marques

The Marques causis tak wp the brynt bones, and buris thame in the kirk of Garntullie.

The Marques writtis to the Lord Gordoun.

[a] The Counsel for Meldrum stated in his address to the Jury, that "the constant repoirt is that thair was ane grit smoiking befor he [the Viscount Melgum] did awaek, baith in his chalmer and the uther, quhair a boy was suffocat, and gave him libertie to put on his clothes, and be the will of God went up the stair quhair he sould haif cum doun."

[b] 'The ashes of the Viscount of Aboyne and several of his followers, and of John Gordon, laird of Rothiemay, who were

writtis to the Lord Gordoun then duelling in Innerniss of this accident. It is reportit that vpone the morne efter this wofull fyre, the ladie Frendracht, dochter to the Erll of Sutherland, and neir cousing to the Marques, buskit in ane white plaid and ryding on ane small nag, haueing ane boy leiding hir hors without ony mae in hir company :[a] In this pitifull maner scho cam weiping and morning to the Bog desyring entrie to speik with my lord, bot this wes refuisit, so scho returnit bak to her awin hous the same get scho cam comfortles.

The ladie Frendracht rydis to the Bog: Scho gettis no entrie, turnis home.

The Lord Gordoun vpone the recept of the Marques letter cam haistellie to the Bog, convenit William Erll of Erroll (with whose sister the Viscount wes mareit) and many vther freindis, who efter serious consultatioun concludit this feirfull fyre culd not cum be chance, sleuth, or accident, but that it wes plottit and devysit of set purpois as ye may heirefter sie folio 11. Quhairof Frendracht, his ladie, his freindis and seruitouris, ane or vther wes vpone the knowledge: So thir freindis dissolues, and the Marques wold not revenge himself be way of deid, bot seik the lawis with all diligens quhairvnto he had moir nor ressone.

The Lord Gordoun cumis to the Bog: Convenns sum freindis.

Thair judgment of this fyre.

Thir freindis dissoluis.

The Marques resolutioun.

Now thair wes ane gentilman callit Johne Meldrum, who sum tyme servit the laird of Frendracht and gat no good payment of his fie as he alledgit, quhairat he wes miscontent. This Meldrum thairefter mareit with Petcaple's sister, and the hurting of James Lesly maid his greif the gryter, and bred sum suspitioun of the raising of this fyre, quhairvpone he, with ane Johne Toshea seruitour to Frendracht, and ane young woman callit [Margaret] Wod, dochter to

Johne Meldrum suspectit.

John Toshea, and Wod also suspectit ane young woman.

burned in the old tower of the house of Frendraught, in the parish of Forgue, in 1630, (as related by Spalding) were buried in a vault in the Church of Gartly, which is still to be seen.' (Statist. Acc. of Banffshire, p. 98, Edin. 1842.)

[a] It has been stated that the boy who conducted the lady of Frendraught, on this occasion, was a Jesuit who resided at Frendraught. Blackhall's Brieffe Narration, Preface, p. xxiv.—where, however, the reference to Oliver's History for this fact is a mistake, and the correct reference has been mislaid. In 1637, Blackhall writes, "my ladye of Frendrot did send to me, praying to me to be her ordinary for the *frere* whom she had befor was lately depairted from this lyffe." (Brieffe Narration, p. 58. Spald. Club.) However this may be, it would appear that a priest had resided at Frendraught at the time of the fire, as among other members of the household, for whose apprehension a warrant was granted by the Lords of the Privy Council, on 23d December, 1630, is "——— Anderson, prist." (See Appendix.)

the laird of Colpnay, all suspectit personis to be either airt and pairt or on the counsall of this fyre, ane or vther of them war aprehendit and wardit in the tolbuith of Edinburgh. This young gentilwoman is first accuisit befoir the Lordis of Counsall and scharplie examinat. Scho standis to hir innocencie and denyis all. Scho is thairfoir put in the bootis and cruellie torturit, yit confessis nothing, quhairvpone scho is set to libertie as ane innocent, bot the vther tua men is kepit in strait waird, quhair I will leave them whill folio 21.[a]

Scho is accusit and torturit, confesses nothing:

Scho is put to libertie.

The tua men is keipit in waird.

Ye hard befoir, folio 5, how young Balnadallache had killit Johne Grant of Carroun without pvnitioun. Quhairvpone his vncle, callit James Grant, vowit to revenge his death, and brak out and wrocht mekill displesour to the said Balnadallache as ye sall heir, folio 9, becaus he could get no justice be the lawes aganes him for his moyan of the Erll of Morray.

James Grant brakis out vpon Ballindalloche.

Ye haue befoir, folio 4, of sum miscontentment betuixt the Marques of Huntlie and the Erll of Morray anent purchessing the livetennandrie. In recompens of the Marques procedure, the Erll of Morray being at court, and in good fauour with the King, delt so that his Majestie sould tak the schirref-

The Marques wantis the schirefschipis of Abirdein and Innerniss be moyan of the Erll of Morray.

[a] Margaret Wwod, on her examination before the Lords of the Privy Council, threw the odium of the fire raising on the laird of Pitcaple. She afterwards retracted her allegations, and appears to have been guilty of much prevarication, on account of which it was resolved to pursue her 'criminallie to the death;' and warrant was given to the Lord Advocate to indict her for perjury, inasmuch as she 'having taken to her the false name of Jeane Wod, her sister, sometyme seruitrice to the laird of Pitcaple, did compeir before his Majesteis counsell, and so farre as in her lay, did lay the odious and treasonable cryme of burning of the hous of Frendraucht, upon a baroun and gentleman of good qualitie, and thereafter, in her severall depositions made before the saids Lords, did openlie and manifestlie perjure herself, blaspheme the name of Almightie God, and abuse, with her false lees and calumnies, the saids Lords of his Majesteis counsall; for the quhilk they thinke her unworthie to live, and to be most worthie of the punishment of death.' On the 15th February 1631, the Lords authorized Mr. Andrew Ramsay, Mr. William Struthers, and Mr. Harie Rollock, ministers of Edinburgh, 'to declare unto her, that, for her manifold forgeries, perjuries and lees, she is to be persewed criminallie to the death before his Majesteis justice; and in regard thairof to confer and deale with her by prayer and exhortatioun, to make her sensible of her sinfull estait, grieved for her offences, and to bring her to ane ingenuous and sincere declaratioun of the truth of her depositioun.' Her trial took place on the 23d of February. After much curious pleading on the relevancy of the indictment, she was found guilty, and sentenced to be 'scourged through the burgh of Edinburgh, and banished the kingdom.' (Records of Justiciary.)

schipis of Abirdein and Innerniss fra the Marques, and give him fyve thousand pound striviling for the sam. The Marques wes veray loth to quyte thir offices, purchest for singular seruice done to the Kingis of Scotland be his predicessouris, yit is forst to do the samen, not standing now in suche favour with this King as with his father. Bot it wes said the Erll of Morray alledgit he wes sic ane gryt man of sic freindschip and pouer that none culd leive besyd him, except thir schirefschipis war takin fra him and his posteritie.[a] And the King gave better eir in this purpose to the Erll of Morray nor to the Marques, and so thir heritabill offices wes annext to the croun, bot the Marques wold not receave the foirsaid 5000 lib. sterling, bot desyrit his sone the Lord Gordoun to tak it wp, bot whidder he gat full payment or nocht I cannot tell, for he wes then in England, sie folio 15. It is trew the countrie wes not wnder sic obedience efteruardis as ye sall heir, folio 14.

The Marques is discontent.

Morrayis declaratioun.

The schirefschips annext to the Crown.

The Lord Gordon getis the money.

The countrie evill gydit

At Michaelmes in the same yeir of the Marques dimissioun, 1630, Johne Johnstoun of Caskeben, be the Kingis commissioun, wes maid schiref principall of Abirdein, and Schir Robert Gordoun of that Ilk, knicht barronet, wes likuaies be the Kingis commissioun maid schiref principall of Innerniss, and both to indure for ane yeir. The Marques maid frie of thir schirrefschippis, resoluit to look about his owin effaires and behold all, quhilk bred gryt trubles in the land that durst nocht haue bein interprysit, if he had bruikit office, and no livetennandrie had bein grantit to the Erll of Morray as ye haue hard.

Caskiben schirref of Abirdein.

Schir Robert Gordoun schiref of Innerniss.

The Marquis behaldis all

Gryt trubles in the land.

Ye hard of James Grant on the vther leaf how he brak out: Indeid no redres could be gottin of Balnadalloche for the innocent slauchter of his brothersone, for be moyan he purchesit ane respite, and thairefter ane remissioun as wes said. James Grant seing this turnit lawles, and vpone the thrid day of December, he with his

Ballnadalloche gettis ane remissioun.

James Grant byrnis the corn yeard of Petchass, and haill bestiall.

[a] This may remind us of a similar remark of Doisel, the French ambassador, made to Mary the Queen Dowager, when on a visit to George, fourth Earl of Huntly, at Strathbogie, in 1556. It is said that, on that occasion, after seeing the wealth and resources of the Earl, Doisel exclaimed that such a man was not be tolerated in so small a kingdom as Scotland, and that his wings ought to be clipped, lest he should become too arrogant. The wing which was at that time torn from this powerful house was the Earldom of Moray. (Misc. Sp. Club, vol. iv. pref. p. li.)

complices cam to the toun and landis of Petchass, young Ballindallochis duelling place, who with about threttie persones wes within, quhilk the said James Grant weill aneuch knew, and to trayne him out he settis his corn yaird in fyre, and haill lauche bigging, barnes, byres, stables, quhairin mony hors, nolt, scheip, wes brunt, and sic bestiall as wes not brynt thay slew and destroyit; bot young Balnadalloche keipit the hous and durst not cum out to mak ony defens. In like maner the said James Grant, with his complices, vpone the sevint day of the said moneth of December, past to the toun and landis of Tulchin, perteining to old Balnadalloche, and brynt wp and distroyit the haill bigging thairof, cornes, cattell, gudis and geir, and all quhilk thay could get; and to the hillis gois he.

Ballindalloch keipis the hous.

James Grant burnit Tulchyn.

Ballindalloches complains to the Lieutennand.

Ballindalloche old and young complains to the Erll of Morray livetennand vpone thir inivreis and oppressionis, and with all the countrie people (still wnder haserd of thair lives and hairschip of thair goodis who wes vnfreindis to the said James Grant) cryit out aganis the livetennand for not pvnissing of thir grevous offences, serching, seiking, and taking of the said James Grant and his complices. The Erll wes michtellie movit heirat, and in end resolues to gar ane devill dyng another; and to that effect agreis vith Lauchlen M'Intoshe alias Lauchlen Og, brother to the vmquhill laird M'Intoshe; Williame M'Intosche alias M'Lauchlen, sone to vmquhill Lauchlen Angoussone, and George Dollas. Thir thrie war the principall men that brak out against the Erll himself, and being reconceiled, as ye haue hard, he now agreis with thame to tak the said James Grant ather quik or deid, quhilk vpone conditionis thay franklie wndertook, and convenis about fourtie stravng men of the Clanchatan weill armit efter the Hieland fashioun, divydis thame in thrie seueral companeis, and wnder thrie capitens, viz., the said Lauchlen Og, William M'Lauchlan, and George Dollas.

The countrie cryis out.

The Erll his resolution.

He agreis with the Clanchattan to tak James Grant.

Thay wndertook the seruice.

Thair number and capitans.

The Erll himself referrs this bussines to thir thrie capitenis, and vpone the tent day of the said moneth of December he ryds fra Morray south. Bot thir capitanes vsit so gryt diligens, that, vpone the auchteint day of the said moneth of December, thay fynd the said James Grant in the toun and landis of Auchnahyll within ane hous and ten men with him and his bastard sone, at the heid of

The Erll rydis south.

James Grant found, but he fleis; is sair woundit and four men slayne.

Strathavan. Thay perseuit the hous most furiouslie; the said James and his men wynis out and takis the flight: Thay follow scharplie, slew four of his men, woundit himself with arrowis in ellevin sindrie pairtis of his body, and when he could do no moir he wes takin and his vther six men, bot his bastard son wan away. Thus war thay brocht quiklie to the place of Balnadalloche, quhair he with his men war straitlie kepit. Then his men wes had to the tolbuith of Elgyne and wardit thair, himself wes hed to Dernway vpone Yovll day the 25th of December, quhair he remanit whill the 25th of Februar 1631, that his woundis wes cureit, syne had in to Elgyne as ye sall heir. Balnadalloche, young and auld, with all thair freindis wes glaid at this taking. So the Erll of Morray being in Edinbrugh, and haistellie advertisit heirof, rejoisit michtellie at this vassallage done be his men, and schortlie takis ordour with him as ye sall heir. Quhilk was, he wreit fra Edinbrugh and discharget the Clanchattan companeis, and orderit thair thrie capitanis with sum vtheris, and his own men tennentis and seruandis to convoy them from Elgyne to Edinbrugh, quhilk wes done. Howsone James Grant cam to Edinbrugh, he wes admeirit and lookit vpone as ane man of gryte vassallage: he is receavit and wardit in the castell of Edinbrugh and his six men war all hangit to the death.[a] He wes oftyms accusit befoir the counsall vpone diuers materis, at last he brakis waird and wan away as ye may sie, folio 14.

He is takin and six men with him.

Thay ar brocht to Balnadalloch.

His men wardit in Elgyn, and himself had to Dernvay, syne to Elgyn.

Ballnadalloches is glad.

The Erll is glaid, and gives ordour anent James Grant.

He is brocht to Edinburgh, wardit, and his six men hangit.

He is oftyms accusit.

[a] The taking of James an Tuim, of whom frequent notice occurs in the Appendix, was very welcome to the Lords of the Privy Council. On 16th March 1631, they passed an act 'ordaining his Majesties treasurer and depute to prepare and have in readiness, against Tuisday next, twa thousand merkes, to the intent the counsell may deliver thereof fyve hundreth pounds to Lauchlane M'Intosh, fyve hundreth punds to William M'Lauchlane Angous-sonne, and fyve hundreth merkes to George Dollas, as ane token of the counsell's favorable respect towards thame, and good acceptance of the service done be thame and thair followers, in taking of James Grant rebell.' (Records of Privy Council.)

ANNO 1631.

James Grant is brocht to Elgyn.

He is had to Edinbrugh and wardit.

His men is hangit.

THIS James Grant, now abill to travell by cureing of his woundis, cam fra Dernvay vpone the 25th of Februar, 1631, to the brughe of Elgyne, convoyit be the same men that took him. He lodgit that nicht in the Erllis awin hous with strait watches. Vpone the morne, him self wes transportit thairfra and his six men out of the tolbuith, and altogidder wes convoyit be the Erllis owne men tennentis and seruandis (according to his awin writtin directioun) to the toun of Edinbrugh, except the thrie Clanchattan capitans, with sum few vtheris that convoyit him also quhill he wes wairdit and his men hangit, as ye haue on the former syde, sie moir, folio 14.

The Marques complanes to the consall on the fyre of Frendracht.

He desyris thair aid.

He is in suspitioun of Frendracht.

Ye hard befoir, folio 8, how the Marques of Huntlie wes curious in trying of the wofull fyre of Frendracht. He resoluis, be advys of his freindis, to complane till the secreit counsall, who went with his lady and virgyne dochteris vpone the ellevint of Merch fra the Bog be chariot, weill accompaneit be his freindis. Howsone he cam to Edinbrugh he declarit befoir the counsall this feirfull fyre, and his irrecoverabill lois, desyring thair aid and assistans to try the authoris of this wark, for still the Marques him self had Frendraucht in suspitioun of this fyre that he wes the forger and devyser thairof. The Lordis of Counsall admeirit at the Marques declaratioun, and all lamentit his pitifull cace, quhilk culd not weill be tryit. Aluayis efter consultatioun the lordis sendis ane commissioun to the Bischopis of Abirdein and Morray, the Lord Carnegie, and Crouner Bruce to go to the place of Frendracht, and thair ingenuouslie to try how the tour took fyre, whidder accidentall or of purpois, or if it proceidit from fyre within the hous, or if fyre wes put in at slitis or wyndois be menis handis, or done be any vther ingyne. Thir four commissioneris, vpone the 13th of Aprile, convenit at Frendracht, quhair the Lord Gordoun, the Lord Ogiluy, the Lord Deskfurde, with sindrie barronis and gentlemen met thame. Thay went in throw and out throw the brynt tower and voltis beneth, and circumspectlie luikit round about tham wp

The lordis grantis ane commissioun to try this fyre.

The commissioneris conveins with sum noblis.

and doun within and without; and at last, all in ane voce, concludit and wreit to the counsall, that this fyre could not be raisit without the houss, except be force of ingyne of warr, nather cam the same be accident, necligens, or sleuth, bot of set purpois this fyre wes raisit be menis handis within the voltis or chalmeris of the said towr. Efter this conclusioun, the commissioneris and all the rest takis thair leive, and all this tyme the Marquess baid in Edinbrugh whill the commissioneris returnit thair ansuer, whiche howsone the Marquess hard, he returnit home agane with his suspitioun moir and moir incressit aganis the laird of Frendracht, sie moir, folio 21.[a]

Thair opinion anent this fyre.

Thay tak thair leive.

The Marques being in Edinbrugh, returnis home still in suspitioun of Frendracht.

Vpone Setterday, the sexteint day of July, the heiche and michtie Lord Frances, Erll of Erroll, within his awin place of the Bowns[b] depairtit this lyf, and wes bureit within the churche of Slaynis vpone the nicht, convoyit quyetlie with his awin domestiks and countrie freindis, and with torche licht. It wes his will to haue no gorgeous buriall, nor to convocat his noble freindis with making gryte charges and expenssis, bot to be bureit quyetlie, and sic expenssis as sould be wairit prodigallie vpone his buriall to give the samen to the poore.

Frances Erll of Erroll depairtis this lyf.

His forme of buriall.

This wes ane trewlie noble man of ane gryt and couragious spirit, who had gryt trubles in his tyme, whiche he stoutlie and honorably still careit, and now deit in peace and fauour with God and man, and ane loyall subiect to the King, to the gryt greif of his kyn and freindis.[c]

He is treulie nobill.

[a] The Commissioners' Report and relative proceedings will be found in the Appendix, "Fire of Frendraught."

[b] 'Bownes now Slains a fair and very large court. The old castle here, and a part of the court, was built under King James VI., by Francis Earl of Errol, on the King's demolishing the original castle of Slains; (because of that Earl's being in arms against Argyle at Glenlivet), and the rest has been continued by his successors, till Charles the last earl added the front, A.D. M.DCCVII.' (Collections on the Shires of Aberdeen and Banff, p. 376.) The building which was thus erected in place of the ancient castle of Slains, seems, for a considerable time, to have been more commonly designated by the name used in the text, 'the Bownes,' than that of Slains castle, which was ultimately conferred on it. (See Blackhall's Brieffe Narration, p. 72.)

[c] Francis, eighth Earl of Errol, whose death is here noticed, lived a stormy and eventful life. He was a faithful adherent to the ancient national religion, and, in company with the Earls of Angus and Huntly, rebelled against the constituted authorities, out of circumstances connected more or less with their religious profession. With these Earls he was involved in the mysterious affair of the Spanish blanks. He shared with them in their victory at Glenlivat, and after the accession of James to the English throne, he was one of the Commissioners

Schirefis of Abirdein and Innerniss.

At Michaelmes, Johne Forbes of Petsligo is schiref of Abirdein, and Thomas Fraser of Strichen, schiref of Innerniss, be commissioun.

Johne Vrquhart of Craigstoun depairtit this lyf.

Vpone the aucht day of November, Johne Vrquhart of Craigstoun, sumtyme tutour of Cromartie, depairtit this life in his awin houss, and vpone the first day of December thairefter, he wes bureit within his awin iyll in the kirk of Kineduard.[a] He left behind him ane fair estait conquest, but court or sessioun, and from ane small begining, and provydit his children honestlie.

Johne Vrquhart of Latheris depairts this lyf.

Johne Vrquhart of Latheris, his eldest lawfull sone, cuming fra his buriall touardis Abirdein, takis seiknes suddantlie be the way at Percok,[b] and vpone the ellevint day of the said moneth of December departit this lyf, and wes bureit besyde his father vpone the 15 of the said moneth. Thus the sone followit the father schortlie. His

His freindis distressit.

deith wes sorrowfull to many, but cheiflie to sindrie of his freindis and countrie gentilmen, whome he had ingagit as cautioneris for him in gryt soumes of money, who saw no releif becauss he had

He is no air nor executour.

nather air nor executour, his sone being put in fie of all be the old tutour his goodschir.

The Marquess of Huntlie with his ladie and virgyne dochteris in

named by Parliament to treat of a union with England. Arthur Johnstone wrote the following epitaph in memory of this Earl :—

EPICEDIUM FRANCISCI HAYI, ERROLII COMITIS.

Occidit Hayorum princeps Errolius, orbis
  Nunc desiderium, qui fuit ante decus.
Adscripsit procerum numero domus edita regum
  Stemmate, sanguineis nobilitata jugis.
Manibus heroum sociavit Martia virtus,
  Partaque fulmineâ mille trophæa manu.
Donavit cœlo pietas spectata. Quid ultra
  Vel meruere homines, vel tribuere Dei?

Delitiæ Poetarum Scotorum, vol. i. p. 612.

[a] John Urquhart of Craigston was grand uncle of Sir Thomas Urquhart of Cromarty, the celebrated author of 'The Jewel;' and in consequence of the management of his grand nephew's estate having been committed to his charge, he was usually known as 'the tutor of Cromarty.' Craigston castle yet remains to attest his affluence, and the good taste by which its expenditure was directed. He erected, in the church of King Edward, a monument to the memory of his mother, Beatrix Innes, in 1599; and in 'Craigston's aisle' there is a monument erected to his own memory. (New Stat. Acct. Aberd. p. 278.) Arthur Johnston has commemorated him also, in the following lines :—

IN OBITUM JOANNIS VRCHARDI CRAGSTONII

Occidit Vrchardus, quo nemo beatior, ævi
Jam satur, et famulas quas sibi fecit, opum.
Posteritas, cui liquit agros et prædia, disce
Illius exemplo vivere, disce mori.

Delit. Poet. Scot. vol i. p. 618.

[b] 'There is another large and remarkable tree (an ash) supposed to be fully 200 years old, which stands on a rising ground at Parcock, above the town of Oldmeldrum. Its position and appearance are altogether so singular and striking, that it is well known, for many miles around, by the name of the *Tree of Parcock*, or simply of *the Tree*. Before the town was built there was an inn at Parcock.' (Stat. Acc. of Aberd. p. 476. Edin., 1843.)

harvest wes in the plewlandis,[a] to quhom cam the ladie Morray thair eldest dochter and viseit thame: Efter confeirenss within the yaird thay kyndlie drank togidder, syne scho tuke her leive and rode to Dernvay. Heir it is to be markit that the Erll hir husband wes at this tym south, and since the fyre of Frendracht sho saw not hir father and mothir, nor did the Erll him self, sen the purchessing of his lieutennandrie, euer viseit thame or give any comfort since this dolorous fire, quhilk wes admeird by many countrie people, that for ony drynes wes betuixt thame, that the Erll of Morray sould haue bein so vnkynd and his ladie both in suche sorrowfull dayis. At last thay becam moir kynd as ye haue folio 33.

The Lady Murray viseitis hir father and mother.

The Erll nor sho saw the Marques to comfort him sen the fyre of Frendracht.

Gryt vnkyndnes.

ANNO 1632.

Vpone the thrid day of Januar 1632, the Erll of Sutherland being in the Querrell wod besyd Elgyne,[b] directit thairfra his led horss with his graith to the Bog, mynding to lodge thair all nicht be the get going south; himself, with the tutour of Duffus and some seruandis followit, who cam to the Bog, bot the Marques maid him cold wel-

The Erll of Sudderland cumis to the Bog: is not welcum.

[a] The house of Plewlands was erected by this Marquis of Huntly. (Hist of Earls of Sutherland, p. 480.) The lands which are situated on the shore of the Moray firth, in the ancient parish of Kinedar, now joined to Drainie, were also purchased by the Marquis. (MS. Notes of the late William Rose, Esq.) They did not remain long in the possession of the Huntly family, and in 1639 were bought, by Sir Robert Gordon, along with the adjoining lands of Ogston. (Hist. of Earls of Suth. p. 497). In 1642, Sir Robert 'tooke a new infeftment, vnder the great seal, from the King, (blensh) of the lands of Plewlands and Ogston, and called the same the Baronie of Gordonstoun.' (Ibid. p. 510.)

[b] 'Quarrelwood in the parish of Spynie, so called from a rich quarry of free stone in the adjacent hill, which was once covered with a large oak wood, whereof there are yet some remains. In the year 1334, Sir Robert Lauder of Quarrelwood was governor of the castle of Urquhart (Abercrombie.) His grandson, by his daughter and heir, Sir Robert Chisholm, succeeded him, whose daughter, Janet, was married to Hugh Rose of Kilravok, anno 1334, (MSS. Hist Kilrav.) and John, brother to Sir Robert, succeeding in the estate, his grand daughter (heiress to his son Robert) married Alexander Sutherland of Duffus, and bought Quarrelwood, Kinsterie, Brightmonie, &c., into that family.' (Shaws History of Moray, p. 104. Elgin, 1827.)

The resson why.

Thair conferrens.

The Erllis good nicht.

His lodging and depairtour.

The Erll of Angous mareit to Lady Mary Gordoun.

Thair intertynnement.

The Erll of Morray nor his Lady was thair.

The Lord Gordon at court.

The Erll of Angous with his Lady gois to Dernvay.

Thay ar maid welcum.

cum for his good brother the laird of Frendrachtis caus, saying he sould either quyte him or the Marquess. The Erll ansuerit he wold prefer him to his goodbrother Frendraucht, bot to quyte him who had mareit his sister, so long as he wes law frie, he could not with his honour. The Marquess suddantlie ansuerit then God be with you my Lord, and turnit about his bak. The Erll schortlie said the lyk and cam furth, syne took his leive of the lady and hir dochteris. But the lady vrgit him to stay all nicht, saying his chalmer wes prepairit, bot he wold not, and nicht being fallin he lodgis in Androw Hammiltouns at the yet cheik who wes ane ostlar: Vpone the morne he rysis tymlie and to the south gois he.

Vpone Setterday the 15th of September, the Erll of Angouss accompaneit with his eldest sone the Lord Douglass, and threttie vther bralie horsit gentilmen cam to the Bog, quhair thay war maid welcum and well intertaynde; and vpone the morne bot forder ceremony he wes mareit at the kirk of Bellie with lady Mary Gordoun, [third] dochter to the Marquess, be maister Robert Douglass minister at Glenbervie, whome the Erll of Angous brocht with him of purpoiss. Thair intertyanement wes honorable, bot the Erll of Morray and his lady be ressone of the coldnes foirsaid wes not thair, not yit the Lord Gordoun now being at the court in London.

Vpone the 22nd of September, the Erll of Angouss, with his lady, went to Dernway and viseit the Erll of Morray and his lady. Thay stayit that nicht being Setterday, Sonday, and Mononday whill ten houris. Thay had welcum with gryte cheir, quhair Schir Thomas Randolphe drank to the Blak Douglass and the Blak Douglass to him, with gryte love and kyndnes.[a] Thairefter the Erll of Angouss, with

[a] 'At Darnaway, the seat of the Earls of Moray, of the Randolph, Dunbar, Douglas, and Stewart race, stands an old castle, nobly elevated, with great range and variety of prospect, which has been built at different periods, adjoining to a princely hall, that had been erected by Thomas Randolph, Regent of Scotland, during the minority of King David Bruce, for the reception of his numerous vassals. This hall is by much the oldest and most remarkable part of buildings, which are now altogether a venerable pile. After all the changes it has undergone, it is still a pleasing monument of ancient hospitality and magnificence. The length is 89 feet, and breadth 35. It has yet from 18 to 20 feet of side wall, though it wants about 12 of its original height, by reason of a range of vaults constructed on its ground-floor, for cellars, with a stone pavement above them. It has a battery in the outer end, and above that a music gallery from side to

his ladie took thair leive and returnit to the Bog, whair thay remanit whill the 27th of September, and that day took thair leive and south ryd thay hame. Thay cum tak to the Bog, syne rydis south.

At Michaelmes, Johne Forbes of Petsligo, schiref of Abirdein be commissioun, wes contynewit in his office till Michaelmes 1633. And richt sua Thomas Fraser of Strechin, schiref of Innerniss, wes contynewit to that day. Schirefis of Abirdein and Innerniss.

Ye hard of the Erll of Sutherlandis going south vpon the vther syd. He mareit Lady [Jean] Drumond, dochter to the Erll of Perthe,[a] and vpone the secund of October he and his lady cam by the Bog, and wold not go sie him, Crost the water and brakfast in Williame Steuartis hous, ostler, syne rode thair wayis. The Erll of Sudderland mareis, cums by the Bog and crossis the water.

Ye hard befoir, folio 11, how James Grant wes wardit in the castell of Edinbrugh, none luiking bot he suld haue deit. Neuertheles, vpone Mononday the 15th of October at nicht, he cam doun over the castell wall vpone towis brocht to him secretlie be his wyf as wes reportit, and cleirlie wan away throw evill attendans, and to the gryt greif of the lordis of counsall who did not lay him faster.[b] Thay postit proclamatiounis throw all the kingdome, offer- James Grant brakis waird. The counsall is offendit. Thair proclamationis.

side. There was a large chimney in the opposite end, and another spacious fireplace in one of its sides.

The roof is supported by diagonal couples and rafters of massy oak, more superb than any modern ceiling, and resembles that of the Parliament House of Edinburgh, and Guildhall of London. Earl Randolph's hospitable board, of thick oaken plank, curiously bordered and indented, standing on 6 pillars, draws out at one end to double length. His oaken chair, on which are coarsely carved the bearings of his office and arms, weighs about 60 libs. avoirdupois, and differs little from the coronation chair in Westminster Abbey.' (Stat. Acct. of Scot., vol. xx. p. 234. Edin. 1798.)

[a] The fourteenth day of Februar, the year of God one thousand six hundreth thirty-two, being Shrew Tuysday, John Earl of Southerland married Lady Jean Drummond, the daughter and only child of James Earl of Perth; a vertuous, comely, and prudent lady, by whom Earl John had dyvers children; and they lived happily togather in great love and mutuall amitie. This marriage was celebrated at Seaton, being the Earl of Winton his hous, who is her uncle by her mother, and was the best marriage in Scotland then, either for meanes or friendship, or the person of the woman. (Hist. of Earls of Suth., p. 459.)

[b] It would rather appear that it was the son of James an Tuim who assisted him in his escape from the Castle of Edinburgh. George Grant, 'base sone to the said James Grant,' among other things was tried for 'attending the said James his father at the tresonabill breking of waird, and escaping furth of the Castell of Edinburgh, and keiping cumpanie with him be convoying him fra the said castell in October 1632 yeiris, and passing with him to Bigger, and thairefter to the Falkirk, and thairfra to the woid of Harbertschyre, quhair he stayit lying

ing lairge soumes to any who sould bring him bak againe either quik or deid, bot all in vane. James Grantis wyf wes takin shortlie thairefter at the Marques of Huntlyis command, being drinking in his awne gardneris houss in the Bog. He wreit to the counsall, who desyrit to send hir in to the bischop of Abirdein, thair to abyd tryell befoir him and the bischop of Brechin as the counsall had apointit. The Marquess about Martymess sendis hir in to Abirdein, quhair scho is examinat vpone sindrie circumstances touching hir husbandis braking of waird. Scho confessit nothing, quhairvpone the counsall gives ordour to set hir to libertie, quhilk the bischopis did, and sho past and repast thairefter at hir plesour but interuptioun, and hir husband schiftit for him selff as ye sall heir, folio 23, that he began to kyth and brak out agane to trubbill the land.

James Grantis wyff takin.

The counsallis ordinance.

Scho bydis tryell.

Scho is put to libertie.

Vpone Wedinsday the 28th of November, efternone, the Lord of Strathbrane, vtheruayis callit the maister of Abercornye,[a] wes mareit with Lady Jeane Gordoun, the Marquess youngest dochter, within the kirk of Belly, be ane Irish minister brocht with him of purpose. Thay war honorablie intertaynde within the Bog, and within few days thay depairtit home.

The Lord of Strathbrane mareit to Lady Jeane Gordoun

Thay depairt home.

In this moneth of November the Erll of Morray took journey towardis Edinburgh, and from that to the King, bot he receavit sum aduertesmentis quhairvpone he went to the chancelaris lodging, and in his presens laid doun his patent under the gryte seall of the

The Erll of Morray renuncis his Liuetennandrie upon sum aduertismentis.

seik nyne dayis, and thairfra convoying him thoro Menteith and Stratherne to the water of Tay, and thairfra northwardis to Spayside.' (Records of Justiciary.) 'Tradition relates, that while in confinement in Edinburgh Castle, observing Grant of Tomnavoulen pass one day, he called out, what news from Speyside? None very particular, rejoined his acquaintance, the best is, that the country is rid of you. Perhaps we shall meet again replied James. Tomnavoulen passed on, and James was left for the time to his meditations in jail, but in the end made his word good. Having escaped by means of ropes, conveyed to him by his wife, in a cask supposed to contain butter, he called, on his return to Speyside, at the house of Tomnavoulen in an evening, where he was invited to pass the night. The invitation being declined, Tomnavoulen and his son were asked in return to accompany him a little on his way. All three set out in company, apparently on the most friendly terms; but they had not gone far, when the barbarian drew his sword, slew both the father and son, and having cut off their heads, wrapped them in a corner of his plaid, returned to Tomnavoulen, threw them, reeking with blood, into the lap of Mrs. Grant, and then bade her good night.' (New Statist. Acc. of Banffshire, p. 131.)

[a] (Second son of James, first Earl of Abercorn.)

liuetennandrie, and renuncit the samen simpliciter. It wes said he prepairit himself to go to the King and get his liuetennandrie renewit, bot the Lord Gordoun being at court crost his designe, knowing his livetennandrie to be expyrit, in recompens of the schirefschippis takin fra his father as ye haue before, folio 9, quhairat the Erll of Morray had his awin miscontentment.

His intention.

The Lord Gordoun crosis him.

In this moneth of November the King of Suaden wes killit be the Imperialistis,

The King of Swaden killit.

Patrik Bischop of Abirdein, sitting in his awin chear in the Oldtoun wes, vpone the day of 1632, suddantlie strikin in ane apoplexie and his richt syd clein takin away, and wes forsit to lerne to subscribe with his left hand: He wes careit in menis armes sumtyms to provinciall assemblies and sumtyms to sermons; and contyneuit so whill the 28th of Marche anno 1635, that he depairtit this lyf as ye sall heir folio and bureit in Bischop Gawin Dunbaris Iyll.

The bischop of Abirdein strikin in apoplexie.

ANNO 1633.

VPONE Thuirsday the sevint of Februar thair began ane gryt storme of snaw with horribill heiche wyndis, quhilk wes nottit to be vniuersall throw all Scotland. Thir hideous wyndis wes markit to be suche as the like had neuer bein sein heir in thir pairtis, for it wold overturne countrie menis houssis to the ground, and sum personis suddantlie smoirit within but releif. It also threw doun the staitlie croun, biggit of curious ashler wark, af of the steipill of the Kingis college of Old Abirdein, quhilk thairefter wes re-edefeit and biggit wp litle inferior to the first.[a]

Ane gryt storm.

The croun of the Oldtoun stepill blawin doun.

[a] 29th May, 1633. 'The said day the Prouest, Baillies, and counsall gives and grantis libertie and licence to the Principall and Regentis of Kingis College of Aberdeine, to crave ane voluntarie contributioun of the inhabitantis of this Burghe, to help to the reparatioun of the steipill of the said College, laitlie demolischit and brokin doune be tempest and storme of weather.' (Aberdeen Burgh Regr., vol. lii., p. 114.) On 6th August, 1634, the council voted a sum of 400 merks to assist in the repair of the 'steipill.' (Ibid. lii. p. 161.)

Ebbing and flowing stoppit.

This outragious storme stoppit the ordinar cours of ebbing and flowing in sindrie wateris, be the space of 24 houris, sic as the wateris of Leith, Dundie, Montross, and vther pairtis; quhilk signefeit gryt trubles to be in Scotland, as efter ye sall heir over treulie cam to pas.

The Marques returnis from court, leaving his sone behind him.

Ye heir befoir, folio 9, of the Lord Gordoun's being in England: It is trew his father the Marques wes at court also, seiking to defend his schirefschipis, quhilk he could not get done as ye hard, and thairfoir returnit home agane, leaving his sone the Lord Gordoun behind him to vplift the prices thairof. Now the Lord Gordoun returnis hame to Scotland about this moneth of Februar, haueing gottin the place to be capitane or livetennant of the Frenshe gaird of Janis d'armes. In this moneth of Februar or thairby, I say, he listis a number of brave gentilmen to serue in the said gard weill armit and weill horsit, and he hes thame landwayis to London, and from thence transportit thame be sea over to France.[a] He had also with him his eldest sone Lord George, and his second sone James Lord of Aboyne. He made ane brave muster in presens of the King of France, quhairat the King wes weill pleisit and receavit the Lord Gordoun, his barnes and soldiouris gratiouslie.

The Lord Gordon returnis home capitane of Janis Dearms.

He listis men in the gaird.

He hes thame to France with his tuo sones.

He musteris in presence of the King of France.

Schortlie thairefter his lady and eldest dochter lady Ann follouit first to London, and fra that to hir husband whair scho wes made welcum, and stayit whill thay cam home togidder as ye sall heir folio

His lady and dochter gois to him.

King Charles cumis to Edinbrugh.

Vpone Setterday the 15th of Junii, King Charles cam to Edin-

[a] George, Lord Gordon, was appointed captain of the Scots Gens d'Armes in 1624. In the following year Adam Gordon, apparent of Ardlogie, on the narrative that his lordship had been pleased to admit him into the number of the said company, obliged himself to 'obserue and keip the haill mustoris, dewlie preparit witht ane man and twa hors, armit at all peices, witht ane caice of pistollis, at sic places and tyme as the said capitane or commissar sall gif warrant and directioune to that effect, and also to be readie to go to France or els quhair to attend my seruice, at all occasionis quhansoeuer I sall be requirit by my captane, etc., vpone fourtie dayis advertisement sua to do. (Misc. of Spald. Club, vol. iv., p. 258.) His Lordship was called over to France, along with his company, in 1632, by Lewis XIII., to take part with him and his allies against the House of Austria. 'He carried over with him the bravest company of them that ever had been seen in France, all of them gallant young gentlemen and well appointed. The Lord Gray was his lieutennant, and in letters yet extant, the King of France acknowledges the signal services done to him by the Marquis of Huntly and that company.' (Hist of Fam. of Gordon, vol. ii. p. 163.)

brughe from London.[a] He had the Duke of Lennox, the Marques of Hammiltoun, the Erll of Mortoun, and diuers vtheris of the Scottis and sindrie English lordis, accompaneit with about 500 Englishmen and houshold officiaris. His furnitour, plait, plenishinge wes careit about with him in princelie forme. At the wast

His company and houshold officiaris.

[a] In contemplation of his Majesty's visit, the magistrates and council of Aberdeen, on 7th November, 1632, appointed the Dean of Gild 'to caus wair tua hundreth frankis wpoun furnisheing of confectiounes, for his Majesties comeing into this his ancient kingdom of Scotland.' (Council Register, vol. lii. p. 85.) On 15th May, 1633, they nominated 'Paull Mengzeis of Kinmundie, prouest, and Patrick Leslie, baillie, commissioners for this burgh, for keiping of the ensewing Parliament, and attending his Majesties coronatioun;' and voted a sum of 3000 merks for defraying their expenses. On 19th June, 1633, 'the baillies and counsall being trewlie certifiet, that yisternicht, the auchteine day of Junii instant, our most dread and gratious Soveraine, Charles, be the grace of God, King of Great Britane, France, and Ireland, Defender of the Faith, did resaive the croun of this his ancient kingdome of Scotland at Halierudehous: Thairfoir thay ordainit the same to be signifiet to the haill toune, and publict sermone to be maid in the kirk, that the people may resort thairto, and give thankis to God for so glad tydingis. The haill bellis to be rung, baill fyres to be set on be euerie man befoir his awin hous, the Croce to be hung with tapestrie, twa punsheounes of wyne with the spycerie in great abundance, to (be) brocht and spent thairat, the tuelf peice of ordinance on the Castelhill to be shot, and the nichtbours of the toune, eftir sermone, to accompanye thair magistrates, expressing the melodie of thair hartis in praising and singing of psalmes, and thairefter the youthes and wther weill affected persones to spend the rest of the day in schooting of muskatis and burning of poulder, and ordainis Mr. Matho Lumisden, Deane of Gild, to provyd the wyne and spycerie to the effect foirsaid, and what he deburssis thairwpoune salbe allowit to him in his comptis.'

On 14th August, 1633, the proceedings of the Commissioners were reported to the council. The provost, who was one of the 54 gentlemen on whom the honour of knighthood was conferred by his Majesty, during his sojourn in Scotland, 'efter summar declaratioun maid be him of the proceedings both of the Coronatioun and Parliament, and how he had resisted the designe of the burghe of baronye of Peterhead, who intended to hawe had the same erected in a frie burghe royall, and had procured thair sute thairanent, to be rejected in Parliament, and the liberties of this burghe to be ratifiet thairin, produceit the Act of Parliament, grantit be his Majestie and estates, in fauors of this burghe, ratifeing thair ancient liberties, and in particular the infeftment grantit be his Majesties darrest father, of eternall memorie, in the yeir of God 1617, with the Act of Parliament whairwpoun the said infeftment proceidit. Lyke as the said Sir Paull declairit, that, be advyce of Sir Thomas Hope, his Majesties advocat, and remanent of the tounes advocattis, he had causit draw wp ane signature of a new infeftment to hawe beine past be his Majestie to this burghe, conteaneing ane gift of the office of Syreffship within this burghe, fredome, and territorie thairof, with dyvers wther liberties, bot could not get the same past be his Majestie at this tyme, for some respectis moveing his Majestie, whilk signature the said Sir Paull produceit siclyke in presens of the counsall, with the tounes eque of thair comptis in his Majesties exchequer.' (Council Register, vol. lii., pp. 113, 115, 116.)

He hes ane speiche at the Wast Port: The 2 speiche.

port his Majesty had ane eloquent speiche making him welcum, and the keyis of the toun offerit to him be the speikar. 2. As he enterit in and vpone the sovth syd of the samen port, Alexander Clerk, then prouest of Edinbrugh, with the balleis all cled in reid robis weill furrit, and about thriescoir of the aldermen and counsallouris, cled all in blak veluot gounes, war sitting all vpone seatis of daillis for the purpois, biggit of thrie degreis, fra the quhilk thay all rais in gryte humilitie and reuerence to his Majestie. And the said Alex[r] Clerk prouest, in name of the rest and toun of Edinbrugh, maid sum schort speiche, and thairwith presentit to his Majestie ane bassein all of gold, estimat to fyve thousand merkis, quhairin wes schakin out of ane imbroderit purs ane thousand golden double angellis, as ane token of the toun of Edinbrugh, thair love and humill service. The King lookit gladlie vpone the speiche and the gift both, bot the Marques of Hammilton, maister of his Majesties hous, hard besyd, mellit with the gift as dew to him be virtue of his office. Thairefter, the prouest went to his hors in good ordour, haueing ane ritche sadill, with ane blak veluot fut mantill with pestmentis of gold, and the rest of the furnitour conforme, who with the bailleis and counsallouris on thair foot attendit his Majestie.[a] As his Majestie is going wp to the Over Bow, thair cam ane brave company of tounes soldiouris, all cled in white satein doubletis, blak veluot breikis, and silk stokingis, with hatis, fedderis, scarfis, bandis, and the rest correspondent. Thir gallantis had dayntie moscatis, pikis, and gilded partisanis and suche like, who gairdit his Majestie, haueing the partisanis narrest to him fra place to place whill he cam to the Abbay. At his entrie at the port of the Over Bow he had ane thrid speiche. At the wast end of the tolbuith he saw the royall pedigree of the Kingis of Scotland fra Fergus the first, delicatlie painted, and thair

The prouest and aldermen thair behaveour.

Ane gift givin to the King.

The Marquess of Hamiltoun getis the gift.

The prouest gois to horss.

The balleis and counsall attendis the King.

Ane braue company of touns soldiouris meitis the King.

Thay gaird his Majestie.

Ane 3 speiche.

[a] The equipments of the Provost of of Aberdeen seem to have been of a costly description. In the accounts of the Dean of Guild for the year, from Michaelmes 1632, occur the following entries on this point:—

Item, for fournitor to the touns fittmantill of silk, small pesments, buccasie and some welwet that wanted to outred, conforme to the merchant's particular compt . £113 10 10

Item, to George Bruce for furneishing of the brydill bitt, stirupe irnes, ledder to the harnessing and workmanship, conforme to his particular compt 80 8 4

Item, to his man for his drink siluer 2 0 0

had ane fourt speiche.[a] At the Mercat Cros he had ane fyft speiche, quhair his Majesties helth wes hartfullie drunkin be Bachus on the Cros, and the haill strovpis thairof rynning over with wyne in abundance. At the throne, Parnassus Hill wes curiouslie erectit, all grein with birkis, quhair nyne pretty boyis, representing the nyne Nymphis or Muses, wes nymphis like cled, quhair he had the 6th speiche. Efter the whiche, the speikar deliuerit to his Majestie ane book. And sevintlie, he had ane speiche at the Nether Bow; whiche haill orationis his Majestie with gryt plesour and delyte, sitting on horsbak as his company did, hard plesandlie, syne rode doun the Cannoget to his awin pallace of Holyrudehous, quhair he stayit that nicht. The prouest with the rest returnit home. Vpone the morne, being Sonday and 16th of Junij, he hard deuotion in the cheppell royall, of his awin cheplane the bischop of Dumblane,[b] went to dynner, servit vpone his awin prouisioun, with his officiaris of household, and gardit with his ordinar English gard cled in his loveray, haueing broun veluot cottis syde to thair hoche, and beneth with boirdis of blak veluot, and his Majesteis armes curiouslie wrocht, in raisit and imbossit wark of siluer and gold vpone the breist and bak of ilk cot. This wes the ordinary weid of thir his Majesteis foot guard.

Ane 4 speiche.
Ane 5 speiche.
The 6 speiche.
The 7 speiche,
The King heiris all pleasandlie.
He gois to the Abbay.
The prouest returnis home to Edinbrugh.
The King heiris deuotioun, gois to dynner.
His ordiner gard.
Thair loveray.

Vpone the morne, Mononday, about sevin houirs at evin his Majestie cam wp fra the Abbay to the castell of Edinbrugh be coache, with whome wes the Duke of Lennox and Marques of Hammiltoun, and his foot gard ryning round about the coache, follouit 16 vther coaches furneshit with nobles and courteouris. The capitane of the castell salutit his Majestie cuming wp the get, with 52 schot of grite ordinance, thairefter he went in and soupit in the castell most magnifiklie, servit with his owne officiaris and with his awin prouisioun vessellis and plait, and thair stayit all nicht.

The King cumis to the castell of Edinbrugh
His convoy.
The capiten salutis the King.
He soupis in the castell, and stays all nicht.

[a] It may be thought that this 'delicate painting' was the work of George Jamieson, from the following reference, in one of the poems of his friend David Wedderburn, to the share which that celebrated painter had in the decorations of the pageant described in the text.

'Ecce Jamesoni tabulam pictoris! ab alto
Sanguine Fergusi proavos per stemmata pictos,'

(Vivat Rex, p. 4. Abred 1633, quoted in Collections on the Hist. of Aberdeen and Banffshires, p. 57.)

[b] (Adam Bannatyne, translated to the See of Aberdeen on the death of Bishop Patrick Forbes in 1635. See Appendix.)

The nobillis cums to the castell.

The King and thay ryd doun the get, in thair Parliament roabis, to the Abay.
Thair forme of ryding.
The Erll of Angouss maid Marquess.

Thay licht at the Abbay.
Hard sermon.
The bischop of Brechin preichis.
The King receavis commvnioun. His Majestie is crounit King.

Bischopis who servit.

Thair apparell.

The bischop of Morray made elymosiner.

He scatteris siluer peices.

Ane altar.

The bischops bek to the crucifix.
Feir of poprie.

Vpone the morne, Tuysday, about ten houris in the morning, the nobilitie cam wp to the castell in thair furrit roabis. The King had his rob Royall, who in ordour rode from the castell doun to the Abbay of Holyroodhouss. And first the Erll of Angous (who wes maid Marques of Douglas the nicht befoir) rode immediatlie befoir the King in his furrit roab, careing the croun betuixt both his handis. The Duke of Lennox being on the King's richt hand, and the Marques of Hamiltoun on his left, bot befoir the Erll of Angouss rode first the Erll of Buchane careing the suord, and the Erll of Rothass careing the scepter, syd for syd. Thir lordis, with the rest of the nobilitie all ritchlie cled in scarlet furrit roabis, rode vpone thair horssis furneshit with ritche sadillis and fut mantellis, ilkane in thair awin roumes with the King, doun throw the streitis to the Abay, lichtit, hard sermon in the Abay kirk, taucht be Mr. Dauid Lyndsay, bischop of Brechin, a pryme scoller. Efter sermon the King receaves the communion, and sum vther ceremoneis wes vsit as is at the coronatioun of kingis, and about tua efternone, his Majestie wes crount King of Scotland vpone the 18th of Junii, 1633. The archibishop of Sanctandroiss, the bischopis of Morray, Dunkell, Ross, Dumblane, and Brechin, servit about the coronatioun (whiche wes done be the said bischop of Brechyn) with white rotchetis, and white sleives, and koopis of gold, haueing blew silk to thair foot. The bischop of Morray wes maid lord elimoysinar, who at the coronatioun threw out of his hand amonges the throng of people within the kirk certane cuingyeit peices of siluer strickin for that purpoiss in token of joy. Now it is markit that thair wes ane four nvikit taffill maner of ane altar standing within the kirk, haueing standing thairvpone tua bookis at leist resembling claspit bookis, callit blynd bookis, with tua chandleris and tua wax candles, quhilkis war on lichtit, and ane bassein, whairin thair wes nothing. At the bak of this altar (coverit with tapestrie) thair wes ane ritche tapestrie, quhairin the crucifix wes curiouslie wrocht; and as thir bischopis who wes in seruice past by this crucifix, thay war sein to bow thair knie and bek, whiche with thair habit wes nottit, and bred gryt feir of inbringing of poperie, for the quhilk thay war all deposit, as is set doun in thir paperis. The archibishop of Glasgow and remanent of the bischopis thair present, who wes

not in seruice, changit not thair habit, bot weir thair blak gouns without rotchetis or quhyt sleives. All solempniteis done about this coronatioun, the King gois fra the churche in to his awin pallace, quhair he stayis whill Thuirsday the 20th of Junij, that the haill estaitis cam doun to him, who cam fra the Abbay in ordour (and wes the first day of the ryding of the Parliament) as ye sall heir, viz., in the first rank rode the commissioneris of burrowis, ilkane in thair awin places, weill cled in cloikis, haueing on thair horssis blak veluot foot mantillis. 2. The commissioneris for barronis followit tham. 3. The lordis of the spiritualitie followit tham. 4. The bischopis, who rode al togidder except the bischop of Abirdein, who wes lying sek in Abirdein, and the bischop of Morray who as elimoysinar rode besyde the bischop of London, sumwhat narrer the King. 5. Followit the temporall lordis. 6. Followit the viscountis. 7. The erllis followit tham. 8. The Erll of Buchane careing the suord, and the Erll of Rothass careing the scepter, followit the erllis, ryding syd for syd with vther. 9. The Marques of Douglass careing the croun, haueing on his richt arme the Duke of Lennox, and on his left the Marques of Hamiltoun following them. Then cam his Majestie immediatlie efter the Marques of Douglass, ryding vpone ane gallant chasnut cullorit horss, haueing in his heid ane fair bunsche of fedderis, with ane foot mantill of purpour veluot, as his rob royall wes. And none rode but thair foot mantellis, and the nobillis all in reid scarlet furrit roabis, as thair vse to ryde in Parliamentis is. Bot his Majestie maid chose to ryd in King James the Fourtis rob royall, quhilk wes of purpour veluot, ritchlie furrit and leasit with gold, hanging over his horss taill ane gryt deall, quhilk wes careit wp fra the erth be fyve groomes of horss, ilk one efter another, all the way as he rode to his hines lichting. He had also vpone his heid ane hat, and ane rod in his hand. The lyoun herauldis, purseuantis, maisseris, and trumpettouris followit his Majestie in silens. In this ordour his Majestie cam fra the Abbay wp the hie get, and at Nether Bow the prouest of Edinbrugh cam and salutit the King and still attendit him whill he lichtit. The calsey wes raveled fra the Nether Bow to the stynking styll with staikis of tymber, dung in the end on both sydis, yit so that people standing without the samen micht sie weill aneuche; and that none micht hyn-

The bischopis who wes not in service changit not thair habit.

The King gois fra church to his pallace.

The estaitis cums doun to him.

Thair ordour of ryding this first day of Parliament.

The prouest of Edinbrugh salutis the King.

The calsie is revillit.

der the Kingis passage thair wes, within thir ravellis, ane strong garde of the touns men with pikis, partisanis, and mvscattis, to hold af the people, and with all the Kings owne English foot gaird, with partisanis in their handis, wes still about his persone, ryning and partisanis in thair handis. Now his Majestie with the rest lichtit at the said stynking still, quhair the Erll of Erroll, as constabull of Scotland, with all humilitie receavit him, and convoyit him throw his gaird to the vther dur of the heiche tolbuith; and thair the Erll Marschall, as Mariscall of Scotland, likuaies receavit him and convoyit him to his tribunall throw his gard standing within the dur, and set the King doun. Efter his Majestie all the rest in ordour, follouit. The Marshall places the prelatis and nobillis in ordour rankit eftir thair awin degrie. Then the Erll of Erroll sat doun in ane chear, and he in another syd for syde, at ane four nvkit taffill set about the foir face of the Parliament, and coverit with grein claith.

Ane gaird of tounsmen.

His Majestie lichtis at the stinking styll.

The Erll of Erroll as Constabull receavis him, convoyis him throw his gaird.

The Erll Marschall receavis him, setis him on his tribunall:

Marschallis the rest.

Sittis down with the Erll of Erroll.

The Parliament about ellevin houris wes fensit: Thairefter the lordis of the articles wes begvn to chooss, consisting of aucht prelatis, aucht nobles, aucht barronis, and aucht burgesis. Howsone they war chosin the Parliament rose. About tua afternone his Majestie went to hors rode to the Abbay, haueing the Erll of Erroll, as constabull of Scotland, on his richt hand, and the Erll Marschall, as Mariscall thairof, on his left hand, careing ane golden rod in his awin hand: and so the haill estaitis in good ordour rode to the Abay. Thair wes also tuo princes of Germany thair, who cam onlie to congratulat the Kingis coronatioun as wes said.

The Parliament fensit.

The lordis of the articles chosin: Thair number

The Parliament rysis wp.

The King rydis doun the get.

The Erll of Erroll on his one syd, and the Erll Mareshall on the vther.

Vpone the morne, being Frydday and 21st of Junij, the King about 11 houris cam fra the Abbay be coache, haueing the capitane of his gaird befoir him, and his foot gaird ryning still about his coche, and convoyit with many nobles, knichtis, and vtheris be coache also. He cumis wp the streit quhair the toune of Edinbrughis gaird wes yit standing in armes, bot contynewit not long efter that day. The King cumis fra coache, and with the lordis of the articles enteris the lauche tolbuith, quhair vpone consultatioun thay remanit whill tua efternone, syne dissoluit, and his Majestie vpone foot returnit to the Abbay, quhair he maid his foot gaird to sueat being ane abill footman as wes within the toun.

The King cums to the articles.

His convoy and guarde.

He returnis to the Abbay.

Setterday 22nd Junii, he cam be coache in like maner fra the Abay, and sat with the lordis of the articles whill thrie efternone, syne returnit bak to the Abay be coche, quhair the King of Poles embassadour tuke his leive. The King cums to the articles and returnis.

Sonday the 23rd of Junii, he cums be coache fra the Abay to Sanct Geillis kirk, and hard Johne bischop of Morray teiche in his rotchet, whiche is ane whyte lyning or lavne drawin on abone his cot, abone the quhilk his blak goun is put on and his armes throw the goun sleives, and abone his goun sleives is also whyte lyning or lavne drawin on, schapin lyke ane sleive. This is the weid of archibischopis and bischopis, and weiris no surpluce, bot churchemen of inferior degrie in tyme of seruice weiris the samen, whiche is abone thair claithis, ane syde lyning cloth over body and armes like to ane sack. He heiris sermon in Sanct Geillis kirk. The description of ane rotchet and surpluss.

The people of Edinbrugh seing the bischop teiche in his rotchet, quhilk wes neuer sein in Sanct Geillis kirk sen the Reformatioun, and be him who sumtyme wes ane of thair owne tounes puritan ministeris, thay war greivit and grudgit heirat, thinking the samen smellit of popery, quhilk helpit to be the bischopis depositioun as efter do appeir. Edinbrugh offendit at the Bishop of Morray.

Efter sermon, the toun of Edinbrugh gave the King the banket, quhilk in ane dyning roume thay had prepairit in sumptuouss and costlie maner, quhairby no sermon wes throw all the toun churches. The King getis the banket fra the toun of Edinbrugh.

Efter dynner, he went be coache weill convoyit bak to the Abbay. He returnis to the Abbay

Vpone Mononday the 24th of Junii, the toun of Edinbrugh gave ane vther sumptuous banket to sindrie nobles, courteouris, and court officiares with mvsick and muche mirriment. Efter dynner, the prouest, balleis, and counsallouris, ilk ane in vther handis, with bair heidis, cam danceing doun the Hie Streit with all sort of mvsick, trumpettouris, and drumis, bot the nobles left thame, went to the King and told him thair good interteynnement, joy, and glaidness, quhairat the King wes weill pleissit. The nobillis and courteouris getis ane vther banket fra Edinbrugh. Gryt joy and myrriness. The King is weill pleissit.

Vpone Tuysday the 25th of Junii the King hard deuotion in his owne cheppell royall: Doctor William Forbes minister at Abirdein teichit in his blak goun without surpluce or rotchet.[a] His text wes The King heiris deuotioun. Doctor Forbes preichis. His text.

[a] Item, debursit be the comptar to Doctor Forbes and Doctor Barrone tua hundreth merkis money, to help to defray thair chairges to Edr., being writtin

at the 27th verss of the 14th chepdour of Sanct Johnes Gospell.

The English seruice.

The Englishe seruice wes said befoir and efter sermon as thair vse wes, the cheplanis and novicess haueing thair white surpluces on.

The Bischop of Dumblane had his rotchet and no vther Bischop.

The bischop of Dumblane, as cheplane of the cheppell royall, had his rotchet and whyte sleivis on, bot none of our Scottis bischopis, except he, had the lyk bot onlie blak gounes.

The King cums to the Articles.

Vpone Wedinsday the 26th of Junii the King cam be coache, convoyit in forme foirsaid, fra the Abbay about ten houris, and sat with the lordis of the articles whill neir four efternone, syne returnit be coache bak to the Abbay.

He returnis to the Abbay.

The King cumis to the Articles: All is concludit, and he returnis bak.

Thuirsday the 27th of Junii the King, be coache convoyit in forme foirsaid, cam fra the Abbay, and sat with the lordis of the articles whill thrie efternone, quhair then all materis wes concludit and he returnit bak be coache.

The Parliament riddin agane.

Vpone Frydday the 28th of Junii the Parliament wes riddin agane to the King, and his thrie estaitis in maner formerlie set doun, except the Erll of Glencarne bure the scepter, quhilk the Erll of Rothass bure the first day, and siclike the Erll of Suffolk rode vpone the Kingis richt hand, and another Englishe lord on his left hand; and the Marquess of Hammiltoun, as maister of the Kingis horsis, rode directlie behind him, haueing led at his bak ane statlie horss with caparisoun led in ane manis hand: And in this ordour, in thair Parliament reid roabis, thay cam ryding fra the Abbay wp the get and lichtit, syne went in altogidder to the Parliament houss, and thair ratefeit the haill actis maid and concludit befoir the lordis of articles, efter the samen wes first voicet and votit about be the lordis of Parliament, and thair actis ordanit to be imprintit; and so the Parliament rose wp the foirsaid day.

Glencarne beiris the scepter.
Suffolk rydis on the Kingis richt hand.
Another English [Lord] on the left.
Hammiltoun maister of the horsis.

Thay go into the Parliament houss.
Ratefeis the actis, syne rysis wp.

The King restis: heiris deuotioun

The King restit vpone Setterday the 29th of Junii, and hard deuotioun within the cheppell royall vpone the morne being Sonday.

The King passis to sport.

Mononday the first of July the King dynit in the Abbay, syne past to sport and recreat himself to Linlithgow, Dumfermling, and Falkland, and cam bak to Brunt iland, schippit, cam over the water and saiflie lodgit in the Abbay that nicht. Bot as he is on the water, in his awin sicht thair perishit ane boit following efter him,

He returnis to Brunt Iland: cumis ouer the water; ane boit perishes.

for be the Archbishop to teache befoir the Kingis Majestie, conforme to a warrand of counsallis, ... £133 6 8
(Accounts of Treasurer of Abdn. 1632-3.)

haueing within hir about 35 personis of English and Scotis, his owne domestik seruitouris, and tuo onlie escaipit with thair lyves. His Majesteis siluer plait and houshold stuff perishit with the rest. A pitiful sicht no doubt to the King and the haill beholders, whairof the like wes neuer sein ane boit to perish betuixt Brunt Iland and Leith in ane fair symmeris day, but storme of wether, being the tent of July. Bot it foirtokint gryte trubles to fall in betuixt the King and his subiectis, as efter do appeir.

Pitifull to sie.

A prodigious token.

The tent of July being Wednisday, the King stayit all nicht in the Abbay, Thuirsday and Fryday. The Marquess of Huntlie, intending to keip this Parliament, cam to Kandechyll,[a] quhair he thair fell sek, bot he send his ladie with the ladie Aboyne to complane vnto his Majestie anent the fyre of Frendracht, who took thair awin tyme alss commodiouslie as thay could, and accompaneit with sum vther ladeis in mvrninge weid, pitifullie told the King of the mvrther done be the fyre of Frendracht, humelie craveing at his handis justice. The King with gryte patiens hard this complaint quhilk he bevailet, comfortit the ladeis the best he could, and promesit justice. Thay could get no moir for the present, bot humelie took thair leives at the King, and returnit to thair lodginges, sie moir the same syd.

The King stayis in the Abay.

The Marques cumis to Kandechyll: fallis seik.

Sendis his lady and ladie Aboyn to the King.

Thay mak thair complaint.

The King heiris patientlie.

Promisis justice.

Thay tak thair leivis.

Aluaies the King, vpone Setterday the 13th of July (mynding for London) rydis to Seytoun from the Abbay. He wes honorablie convoyit be nobles and toun of Edinbrugh. He stayit that nicht in Seytoun weill intertynneit. Vpone the morne he hard thair deuotioun, and held his counsall efternone as the English custom wes.

The King rydis to Seytoun.

And vpone Mononday the 15th of July, his Majestie rode fra Seytoun, and sua furth from place to place whill he cam to London, saif, haill, and sound, praisit be God. It is said his Majestie com-

He rydis to London.

[b] 'This was an ancient seat of the Gordons in old times [on the south side of the Dee, about three miles below the town of Ballater,] when it was called Candecaill, which, it is said, is a Gaelic word meaning head of the wood. Little of the Castle now remains but part of a wall, which forms the west gable of the house, now built on the site of the old Castle.' (A Guide to Deeside. Aberd. 1835.) 'Sequitur in eadem ripa *Keanna-Kyll* (quæ vox caput silvæ significat) amoena arx, a Marchione Huntilaco, ante non multos annos, ad secessum voluptarium condita, loco undique silvis opaco, piscatui, cervorum et damarum venatui, aucupio etiam opportuna.' (Collections on the Shires of Aberdeen and Banff, p. 25, quoting description in Blaeus Atlas by Robert Gordon of Straloch.)

mendit our Scottish intertynnement and braue behaviour, albeit sum lordis grudgit with him, as ye haue folio 43, quhilk bred muche sorrow.

The ladie Marchioness and ladie Aboyn bydis in Edinbrugh.

His Majestie gone to London, the ladie Marchioness and ladie Aboyne bydis still behind him in Edinbrugh, vsing all the menis thay could for tryell of this fyre of Frendracht. At last scho caussis

Johne Meldrum is put to ane tryell.

put Johne Meldrum and Johne Toshea, whome ye hard wes wairdit in the tolbuith of Edinbrugh abefoir, folio 8, to ane tryell.

He is accusit and denyis.

And first the lordis, vpone the second and thrid dayis of August, began to accuse the said Johne Meldrum what he knew anent the said fyre, and thairwith examinat him vpone certane speiches quhilk he, as wes alledgit, had spokin concerning that purpose. He vtterlie denyit all, and what he said wes all writtin. Thairefter the

He is reexaminat.

lordis begins another day to reexamen him, could fynd no licht, yit

He is found variant.

fand him variant fra his first declaratioun in sum circumstances,

He is put to the tryell of ane assise.

and thairfoir the lordis schortlie referis him to the tryell of ane assise, quhair he wes convict and condempnit to be hangit to the

Hangit, heidit, and quarterit.

deith at the Cross of Edinbrugh, his heid to be struckin fra his schulderis, and his bodie demamt and quarterit, and set wp on examplarie places within the toun in example of vtheris to do the lyke. He wes execute vpone the day of August foirsaid, and deit but ony certane and reall confessioun, as wes said, anent this dulefull fyre.[a]

Johne Toshea is still keipit in waird.

All this tyme John Toshea wes kepit in strait waird, yit is put to no tryell vpone quhat ressonis I can not tell. Whairvpone the

The ladyis returnis to Kandechyll.

ladeis left Edinbrugh efter Johne Meldrum's executioun, and cam to Kandechyll quhair the Marquess wes attending thair cuming, leaving Toshea to his tryellis as ye haue heirefter, folio 24.

The Marquess cumis home.

The Marquess with his ladeis cums fra Kandechyll to Strathbogie, vpone the 5th of September, and from that to the Bog vpone the 17th of September, sie moir folio 24.

Alexander Gordoun of Dunkyntie, and George Gordoun his eldest sone, with some seruandis, being at the huntis in Glenelge at the

The laird of Dunkintie and his eldest sone murdreist.

heid of Strathavan, wes vpone the nynteint of August cruellie mvrtherit be certane Hieland lymmaris. Like as the laird and his

[a] See Appendix, "Fire of Frendraught."

sone in thair defenss most valiantlie slew thrie of thir louns, bot craftellie thay presentlie yirdit in ane hoill tua of thame, and the thrid thay left lying abone the ground, syne went thair wayis thair awin get, of whome neuer tryell yit could be gottin for all the Marquess of Huntlie culd do, thay being his awin brother sone,[a] and brother oy whome thir lymmaris had killit without ony known causs. Dunkinteis second sone getting aduerteisement of this wofull mvrther, convenis sum freindis suddantlie, and takis wp the corpis of his father and brother in tua kistis. The heid of the thrid lymmar thay cuttit af and set it vpone ane fork heid, quhilk wes careit be ane horssman befoir the corpis all the way to Elgyne; and vpone the 22d day of August, with gryte lamentatioun, thay war both bureit within the Marques Iyll, and immediatelie thairefter this lymmaris heid wes set vp on ane iron stob, vpone the end of the tolbuith of Elgyn in example of vtheris to do the lyke. The Marquess took the death of his lauchfull brother sone and brother oy to hairt, bot in all his lyff do his best he could neuer get tryell of this mvrther, who extendit his moyan to the full thairanent, so he deit but revenge: Sum thocht this strange, that the gryt Marquess of Huntlie sould sie his blood distroyit without tryell or reparatioun.

Thay kill 3 lymmaris
The rest escaipis.

Dunkinteis secund sone takis wp the corpis:

And bringis the heid of ane lymmar vpone ane fork, and set vp on ane stob.

The corpis ar bureit.

No tryell.

No revenge.

Ye hard befoir, folio 14, how James Grant brak out of the castell of Edinbrugh, and wan saiflie way, vpon the 15th of October 1632. He lay lurking quyetlie in secreit places heir and thair throw the countrie, so that his enemeis thocht thay war surelie quyte of him. Bot contrair thair expectatioun in the begining of November, in this yeir 1633, he began to kyth in Strathavan, and peirtlie and avowedlie trauellit throw the countrie, sumtymes on Speyside, sumtymes heir sumtymes thair, without feir or dreddour. His wyf

James Grant begins to kyth.
Gois publictlie.

[a] 'The Cadents or Second Sons of George, 5th Earl of Huntlie.

Alexander, Laird of Strathawen, married the Earle of Cathnes dauchter, Sinclair, Countes of Erroll, with whom he begatt a son, Alexander Gordon, Laird of Dunkintie, and three Dauchters. Thair fayther, the said Alexander, dyed in Camdell in peace.

His son, Alexander Gordon, Laird of Dunkintie, married the good man of Bellindallochs dauchter, Margaret Grant, with whom he begatt 5 sons and 3 dauchters. His eldest son, George Gordon, Alexander and John Gordons. He excambit the Lands of Strathawen for the Lands of Dunkintie, and gott a great soum of money. He was killed, and his eldest son, George, in the forrest of Glenawen, att the stalking, 19th Agust (1633) by some Rogues of Clanquhatons.' (Fragment of Hist. of Gordons, MS., penes Edit.)

His wyf duellis in ane littill houss in Carroun. He bastis hir company, and is espyit be the Clangrigour.

being gryte with child took in ane littil hous in the toun of Carroun, pertening to the aire of hir husbandis lait slayne brother sone, mynding thair to remane quhill scho war deliuer, and to whome hir husband wold vsuallie cum and go without ony feir. Bot being espyit by his enemeis thay avait upon him, to wit sum of the forbidden name of M'Grigour, brocht in the countrie by young Ballindallache aganis the said James Grant; and wes about 14 lymmaris in company with ane cruell bloodie tyirant to thair capitane callit Patrik Ger or M'Grigour. Thir people waitis on whill thay saw him with his bastard sone and ane man onlie cum quyetlie to his wyfis houss, and seing him so few in company, thay followit haistelly, (being wnder cloud and silens of nicht) lap about the houss and tryit to tir the samen. James Grant heiring the noyss, and seing him so vmbeset that he wes nather abill to keip that litle houss nor yit to wyn away, resoluit to keip the dur with the vther tua alss long as thay micht, and shot out arrowis at tua wyndois, that few did venter to cum neir the dur except thair capitane cam feirslie forduard to persew the dur, quhilk the said James Grant perceiving and knowing him weill, quiklie bendis ane hagbut and schootis him throw both thies, and to the ground fallis he. His men leavis the persute and lovpis about to lift him wp agane. Bot as thay ar at this wark, the said James Grant with the vther tua lovpis fra the houss and fleis, leaving his wyf behind him. Bot he is scharplie followit and many arrowis wes schot at him, yit he wan away saiflie to ane Bog neir hand by with his tua men.

Thay lap about the houss.

James Grant heiris the noyss.

His resolutioun.

He schootis thair capiten.

James Grant escapis.

This Patrik Ger deit of this schot within schort whyll, a nottabill theif, robber, and briganner, oppressing the countrie people quhair euer thay cam, and thairfoir thay rejoisit at his death to be quyte of sic ane lymmar, and praisit the said James Grant for cutting him af, sie moir of him, folio 28.

This capiten callit Patrik Ger, a notable lymmar.

At Mihaelmes 1633, Thomas Crombie of Kemnay wes be commissioun maid schiref principall of Abirdein, and Mr. Alex^{r} M'Kengzie of Kilcowie maid schiref of Innerniss in like maner, to indure for ane yeir.

Thomas Crombie schiref of Abirdein.

Mr. Alex^{r} M^{c}Kengzie schiref of Innerniss.

ANNO 1634.

The M^cGrigour spolzeit Frendrachtis boundis.

In the moneth of Januar 1634, thir lawless lymmaris of the forbiddin name of M'Grigour, cam to the laird of Frendrachtis boundis and took or stall away 200 wedderis as wes reportit.

Doctor Forbes consecrat bischop of Edinbrugh.

About this tyme Doctor Williame Forbes, ane of the ministeris at Abirdein, wes transplantit thairfra to the toun of Edinbrugh, quhair in Februar thairefter he wes with gryte solempnitie consecrat bischop of Edinbrugh, and schortlie thairefter transportit his wyf and children, goodis and geir, fra Abirdein to the said brughe.[a] This man wes the first that euer wes maid bischop of Edinbrugh, and contynewit schort while, for vpone the 12th day of Aprile, in the said yeir 1634, he depairtit this lyf, efter taking of sum phisick, sitting in his owne chear suddantlie, a matchles man of lerning, languages, vtterans and delyuerie, ane peirless preichour, of ane grave and godlie conversatioun, being about the age of 44 yeiris.

He depairtis this lyf.

A singular man.

The Marquess with his lady intendis for Edinbrugh. He fallis seik in Kandechyll:

Ye hard befoir, folio 22, of Johne Toshea: This fellow wes one of Frendrauchtis domestik servitouris, and one who wes in the houss the tyme of the fyre, and very suspitious to be vpone the knouledge thairof. Thairfoir the Marquess resoluis to put him to ane tryell, and to that effect he with his ladie takis journey touardis Edinbrugh, bot be the way he fell seik in Kandechyll. The ladie Marquess leavis him thair and rydis forduard to the said brughe.

Scho rydis forduard.

Johne Toshea is accusit and denyis: He is torturit; confessis nothing. Scho desyris him to be put to ane assise. It is refusit.

Scho causis scharplie accuse him vpone sindrie suspitious poyntis. He denyis all. He is put to the tortur and callit in the bootis, he confessis nothing. Thairefter scho desires him to be put to the tryall of ane assise, quhilk wes refuisit, saying none suffering tortur and confessing nothing be the lawis thairefter sould be put to the

[a] In the discharge of the accounts of the Dean of Gild, for the year 1633-4, are the following entries indicative of the kindly feeling which existed between Doctor Forbes and his constituents:—

Item debursit for ane supper in Gilbert Andersones houss, maid to Doctour William Forbes, minister of this burghe, before he went south to be inaugurat bishop of Edinburgh, the magistrattis and remanent of the tounes ministers being present thairat, ... £32 18 0

Item to the violers that nicht, . . 0 12 0

Item for wyne, cariet to the Crabstane at the said Doctor Forbes departure, ... 2 8 0

A notice of Dr. Forbes will be found in Gordon's Scot's affairs, vol iii. p. 241. See also Appendix to this volume.

tryell of ane assise; and this wes vehemently pleadit be the said Johne Tosheas awin lawieris, quhilk Frendracht had for that effect secreitlie imployit as wes alledgit: and in end he wes ordanit to sit at the cross of Edinbrugh with the myter on his heid, be the space of tua houris, for some speiches he had spokin aganis the Marquess.[b] So in Junii he wes put to libertie, bot how this gvyess went ye sall heir, folio 46. The lady rydis bak to Kandechyll quhair the Marques wes, and both returnis home.

He sittis at the cross and myter on his heid, and gets liberty. The ladie returnis to Kandechyll, and the Marquess and scho rydis home.

Efter the killing of Patrik Ger, as ye haue folio 23, thair brak out a number of Hieland lounis and heiryit the brayis of Morray, the victll deir at xvi merkis the boll, yit ane of thir louns callit Donald M'Kengzie wes takin be Mr Gawin Douglass, sumtym prouest of Elgyne, presentit to the schiref of Morray, assisit, convict, and hangit to the deith vpone the 28th of August, quhilk effrayit the rest of the lymmaris fra thair robbrie and oppressioun.

Lounis herryis Morray.

Donald M'Kenzie hangit.

In September thair cam ane company of Hielanderis and liftit out of Frendrachtis ground ane number of goodis. Bot Frendracht him self with sum horssmen followit scharplie, and brocht bak his haill goodis agane, but straik of suord. It wes vehementlie suspectit that the Gordonis war the out hounderis of thir Hielanderis, of verie malice aganis Frendracht for the fyre foirsaid.

Frendrachtis goodis raisit.

He resceuis them valiauntlie.

The Gordounis suspectit.

At this Michaelmes Thomas Crombie of Kemnay contynewit schiref principall of Abirdein for ane yeir; and Mr. Alex[r] M'Kengzie likuaies contynewit schiref of Innerniss for that tyme.

Thomas Cromby schiref of Abirdein.
Mr Alexander M'Kenzie schiref of Innernies.

In October thair cam doun certane Hilanderis agane to the boundis of Baneshoill and Auchintynder, perteining to Frendracht, and took away thriescoir nolt and ellevin scoir scheip or thairby, but reskew or recoverie bak agane.[a]

Frendrachtis grounds spoilzeit.

[a] The treatment which the country people experienced at the hands of these Highlanders, may be judged of from the following notice in 1634, of the oppressions of the 'broken men of the Clan-Gregour, Clan Ranald, Clan Lachlane, and other broken Clans, dwelling under the Laird of M'Gregour, the Laird of Glengarrie, Allan M'Eane Davy and his sonnes, the captane of Clan Ranald,' committed by them in the shire of Moray. 'Thay came to the hous of Chalmer in Ormestoun, band himselffe and his wife hande and foote, spoyld his hous, and reft and away took ane thousand pounds or thairby; and thairefter, thay in lyk maner spoyld and herryed the hous of Andro Geddes in Gairmo[t], and . . . they came to the hous of Johne Mair in Braemurry, and robed and spolyed the said Johne of his goods, and gave Mr. James Cuming, being in the

Schortlie thairefter, thair cam in to the countrie about 600 Hielanderis of the Clangrigour, Clanchamaron, and vtheris all footmen, and opinlie declairit thay had takin pairt with Adame Gordon of Park, Johne Gordone of Innermarkie, and vthers the freindis of the lait brynt laird of Rothimay,[a] and wold sie the samen revengit. Frendracht heiring this, he suddantlie raisis about tua hundreth foot and ane hundreth and fourtie horss, and socht thir people out, who, luiking for no sic on-set, lay scatterit and dispersit fra vtheris throw the country, and fynding thay war not abill to gather suddantlie togidder to meit thame, ilk man fled and schiftit for him self, but moir ado.

Certan Hilanderis brakis out, and took the Gordouns pairt.

Frendracht rysis and scatteris them all.

Frendracht seing thir daylie perturbationis, leaves his ladie in

Frendracht rydis south.

hous for the tyme, elliven wounds with his awin durke. Lykeas in the moneth of Junii last, they violentlie lifted and away tooke ane heirship of fiftie heid of oxin aff the month of Dolleis, &c.' (Records of Justiciary.) Adam Gordon, brother of the Laird of Park, and his allies were in the following year accused as the authors and committers of the late disorders and insurrections in the north, and 'of the heirships, depredations, fire raisinges, and others heavie oppressions committed upone the laird of Frendraucht, his tennants and servants, whois haill goods they have lifted, laid thair lands waist, hanged one of the poore tennants upone the gallowes of Strathbogie, burnt the said laird of Frendraucht his barn yaird, and compellis such of the tennants as remaines upon the ground to pay thame blacke maill; and with ane high hand of rebellion they haue resolved to make thameselffes maisters of the said laird of Frendraucht his estait, and to possesse thame selffes thairin, and to keepe the same by strenth of armes, in contempt and defyance of his Majesteis royall auchtoritie, being assisted in thair rebellions by nombers of brokin Hieland men, and others, with whome they go up and down the countrie ravaging and oppressing his Majesteis good subjects, and speciallie poore ministeris who are not of power to oppose thair violence, and that in so hostile and terrible ane manner as the like hes not beene heard of at anie time heretofore.' (See Appendix, 'Broken Men.')

[a] William Gordon, the first of that name, Laird of Rothiemay, was the eldest of eight sons, whom John Gordon of Cairnborrow, their father, led to the victorious field of Glenlivat in the year 1594. The Earl of Huntly, it is said, urged the father to stay at home, but the old man disdained the counsel, replying: "Na, na, my Lord, I'll bleed the whelps mysell, they'll bite the better." (Statist. Acc. of Scot., vol. xix., p. 294. Edin. 1797.) The old Laird purchased estates to most of his sons, who thus founded many of the families metioned in the text. Besides the lands of Rothiemay, which he purchased from Sir James Stewart of Killeith, he acquired by purchase the lands of Park, the lands of Invermarkie, the lands of Glenbucket, the lands of Edinglassie and Glenmarkie.' "Besides which large property, he had a wadset upon Airtloch: he had the property of Auchnahandak in Glass: he had also wadsets on Gollachie and Dallachy in the Lordship of Enzie, and Tilliegreg in Udny." (MS. Notes of the late Mr. Wm. Rose.)

Kinardie,[a] and vpone the aucht of November rydis south, tua and him self, quyetlie to Edinbrugh.

Diuerss Gordouns brakis out aganis Frendracht.

Thair nameis.

Thairefter brakis out oppinlie a number of the name of Gordoun, with thair freindis and folloueris, sic as Alex[r] Gordoun, eldest lauchfull sone to Johne Gordoun of Innermarkie, Capiten Adam Gordoun, secund lauchfull sone to Schir Adam Gordoun of Park, Johne Gordoun in Auchinreth, Williame Gordoun brother to Johne Gordoun of Auchinhandak, Williame Gordone, sone lauchfull to Robert Gordoun of Collathue, James Gordone, sone to Patrik Gordone in Sutherland, Nathaniell and George Gordonis, sones to Johne Gordoun of Ardlogie, Johne Gordone, sone to Johne Gordoun of Littill Mill, James Gordoun, sone to Gordoun of Ballormy, Alex[r] Leith, brother to the goodman of Harthill, Robert Douglass skynner in Elgin, Duncan Brabner and Williame M'Gillivoriche, seruitouris to the laird of Park; and diuerss vtheris freindis and folloueris. Thir gentlemen taking the fyre of Frendracht havillie to hairt, and seing no redress thairof be law brakis out, ilk man suorne to another to leve and die with vtheris, and vowit to revenge thame selfis vpone the laird of Frendracht be way of deid.

They ar suorn to revenge the fyre of Frendracht.

Thay spoilzie goodis, and sellis them good cheap out of Frendracht.

And first thay began and spolzeit a number of cattell and scheip fra the ground of Frendracht, and avowitlie had thame to Bryak fair and sold ane kow for ane dollour, and ane scheip for ane groat (quhilk wes veray cheap) to hold siluer amongst thair handis.

Thay spoilzie Mr. Alex[r] Inness horss.

Thay oppress Mr. Robert Martyne [Jamesoun.]

Thay spolzeit fra Mr. Alex[r] Innes, minister at Rothimay, his ryding horss. Thay took sum moneyis fra Mr. Robert Jamesoun, minister at Mairtyne kirk, violentlie and maisterfullie, with sindrie vther

[a] Kinnairdy, which formed part of the extensive barony of Aberchirder, was purchased, in the year 1626, along with other lands, by the laird of Frendraught, from Sir Robert Innes of Innes; and 'the place' seems to have been the principal residence of the family, after the destruction of the Tower of Frendraught in 1630. About 1646, the lands were apprized, from the Viscount Frendraught, by Mr. John Gregory, minister of Dalmaock. His son, David Gregory, made up titles, and was infeft in the lands about 1670. He disponed the same to David Gregory his son, professor of mathematics in the College of Edinburgh, in 1690; and in 1704, the said David Gregory, now professor of astronomy in the university of Oxford, with consent of Isabel Oliphant his spouse, sold the barony to Thomas Donaldson, merchant in Elgin. From this family the lands passed into the possession of the noble family of Duff, the present owners. (MS. Notes of the late Mr. Wm. Rose.)

outrages in the countrie. Sum of thir gentlemen hapnit to be drinking in Tullisoull,[a] quhair they took ane callit Thomsoun direct out be Frendrachtis freindis, as ane spy to heir thair discourss. Thay speir at him quhairfoir he cam thair. He dashis and declairis he wes hyrit to go out and avait vpone them, and to lerne what thay war saying or doing, and to report the same bak agane to Frendrachtis freindis who had send him out. Vpone this confessioun, but forder justice, thay garis hang the poor man most cruellie vpone the gallouss neir to Strathbogie.

Thay causs hang ane man at Strathbogie as ane spy.

The goiss symmer matchles fair in Morray, but wyndis, weitis, or ony storme, the cornes wes weill win. The gardyne herbis revivit, jonet flowris and roissis springing at Martimess, quhilk myself pullit. The keall cam to seid and schot, and the Marche violetis springing and spredding as in Aprile.

The goiss symer fair.

Vpone the day of Alexr Leslie suddantlie killit Adam Gordoun, sone to Johne Gordoun of Curridoun, quhilk wes neuer repairit nor pvnishit for all his gryte freindschip.

Adame Gordone killit.

Vpone the 15th of November, thir Gordouns raisit out of the ground of Frendracht about 13 scoir of nolt and auchtein scoir of scheip, callit them to Strathbogie, and fynding the Marquess not to be duelling thair, thay maisterfullie dang wp the vtter court yettis and callit in the goodis within the cloiss, brak wp the stabill durris and took away tua of the Marquess best horss, and thairefter thay took out of the stables of the Bog thrie vtheris of his sadill horssis, quhilk wes thocht to be done be collusioun, sie folio 27.

Thir Gordonis spoizeis gudis fra Frendracht, callis them to Strathbogie.

Brakis wp durris and yetis.

Takis tua of the Marquess horss, and thrie out of the Bog.

Vpone the 23rd of November, thay brynt wp the corne yaird of

[a] The ancient name of the village now represented by the flourishing town of Huntly was Tirriesoul. On 3rd July, 1545, George, Earl of Huntly, got a charter, under the great seal, 'super erectione ville de Tirriesoul in liberum burgum,' (MS. Collections of the late Mr. Wm. Rose.) Several members of a family of the name of Duff, designed 'of Tirriesoul,' are on record in the early part of the seventeenth century. (Ibid.) 'Tilliesoul' or 'Tirriesoul,' according to Jamieson, is 'a place at some distance from a gentleman's mansion house, whither the servants or horses of his guests are sent when he does not choose to entertain the former at his own expense. The person employed is often an old servant of the family, who is allowed to sell corn, hay, &c., for his own sustenance, and for the accommodation of visitors.' (Dict. apud 'Tilliesoul.') In the records of the Privy Council, James Gordon is designed "of Tilliesoull;" our author calls him "ostler at Tilliesoul."

Thay birne the corn yairdis of Frendracht.

the Maynes of Frendracht, quhairin thair wes standing fourscoir stakis.

Frendracht is still in Edinbrugh supplicating the lordis.

Frendracht wes forsit to suffer thir outrages patientlie, and bydis in Edinbrugh supplicating the counsall daylie for redress, who

Thay send to summound thir Gordouns.

directis out ane herauld callit Johne Malcome, with ane trumpetour callit Alex^r Fergusoun, to summond thir misdoeris at the marcat crossis of Abirdein, Banf, Elgyne, and Forress, to compeir befoir the secreit counsall the 16th of December, and alss vpone the 13th of Januar thairefter, 1635, respectiue, to ansuer to thir complaintis; and

And to charge the Marquess and some vthers.

siclike to charge the Marquess, tuelf barronis, tuelf gentilmen, and tuelf ministeris, personallie, or at thair duelling places, to compeir befoir the lordis the samen dayis, for giveing thame informatioun of thir disorderis wnder gryte panes. The herauld in his cot armes with sound of trvmpet vsit thir charges, conforme at the cross of Abirdein and Banff; and cuming fra Banf to Elgyne he meitis with

The herauld meitis with capitane Adam. Intimates his charges.

Capiten Gordoun and the rest to whome he told his commissioun, and maid intimatioun of his charges to the said capiten and the rest present, chargeing them to compeir the dayis respectiue foirsaidis, who at the giveing thairof wes weill feirit for his lyf. Capi-

The capitans ansueris.

tane Gordoun discreitlie ansuerit thair blood wes takin (for the most pairt wes cum of the houss of Rothimay, kyn, freind, or allya) be fyre most cruellie within the houss of Frendracht; justice is socht bot none can be found, quhilk maid them disperatlie to seik revenge vpone the laird of Frendracht, his men, tennentis, and servandis, at thair owne handis; bot as to the rest of the Kingis leiges thay wold offer no iniurie without thair owne procurement. The herauld glad of this ansuer, and blythe to wyn away with his lyff, took

The herauld takis his leive.

his leve, and the trvmpettour soundit who wes with him, to whome

The trumpettour getis wages.

the capitane gave fyue dolleris of wages. The herauld abefoir had summondeit the Marques personallie in the Bog, and wes weill intertynneit. Thairefter he went to Elgin and Innerniss and maid

The herald returnis home.

proclamatioun of his letteris, syne returnit home in peace efter he had done all his effairis, sie moir of thir charges, folio 30.

The Gordouns callis the goodis to Rothimay fra Strathbogie.

Ye hard in the vther syd how thir brokin men had callit to Strathbogie the goodis of Frendracht. Vpone the morne thay callit them thairfra to the place of Rothimay, quhairin the ladie with hir dochteris wes then duelling. Thay enterit the houss maisterfullie,

took the keyis of the yettis and durris, syne schot the lady with hir dochteris to hir owne yit to ane kilbarne quhair thay remanit, bot this wes done with consent as wes thocht. Thus haueing manit this strong houss, thay took it wp royallie, and causit kill al togidder thriescoir martis and ane hundrethe wedderis: Sum thay saltit, sum thay rvistit, and sum they eitit freshe. Thay boistit and compellit Frendrachtis tennentis to bring in meill, malt, cokis, customs and pultrie, and to produce thair last acquittances, and to pay them bygones; syne gave thair acquittances vpone sic as thay gat, saying thair acquittances wes alss good as the lairdis. The poor tennentis for feir of thair lyves obeyit thair haill willis, wanting thair maister to defend thame, who all this tyme wes in Edinbrugh, and durst not cum home for feir of his lyf.

Thay enter the place, puttis the lady to the yetis.

Thay tak wp the houss and makis good cheir.

Thay tak meill, malt, and customs fra the tennentis.

Gives acquittances.

The tennentis is forst to obey.

About this tyme the laird of Banf convoyit quyetlie to Edinbrugh, out of Kynnardie, to the laird of Frendracht his tua sones, and left his ladie still duelling behind him in Kynnardie with hir dochteris. Banf was then Frendrachtis gryte freind, bot it contynewit not long as ye sall heir, folio.

Banf convoyis Frendrachtis sones to Edinbrugh.

The ladie bydis in Kynnardie.

Ye hard befoir, folio 12, of the death of Johne Vrquhart of Cragstoun, and how his eldest sone, Johne Vrquhart of Latheris, schortlie followit. His sone agane depairtis this lyff vpon the last of Nouember 1634 instant: Thus in thrie yeiris space the goodschir, the sone, and the oy deit. It is said this young manis father willit him to be good to Marie Innes his spous, and to pay all his debtis, becaus he wes young and had ane gryte estait, quhairvnto his goodschir had provydit him. The young boy mvrning past his promeis so to do. Then he desires the laird of Cromartie being present to be no war tutour to his sone nor his father wes to him, and to help to sie his debtis payit, being then above 40,000 lib., for the quhilk sindrie gentilmen in the countrie wes havelie ingageit as cautioneris. The laird Innes, whose sister wes mareit to this Johne Vrquhart of Latheris, and not but her convoy as wes thocht, gettis the gyding of this young boy, and but advyss of his freindis schortlie and quyetlie mareis him vpone his awin eldest dochter callit Elizabeth Inness. Now Latheris creditouris cryis out for payment aganis the cautioneris. The cautioneris craves Cragstoun, and the laird Innes his father in law, (who had also the governament of his estait) for thair

Latheris sone depairtis this lyf.

His fatheris counsall to him.

His promeiss to perform

His gryt debt.

Latheris sone mareis the laird Inness dochter.

His fatheris creditouris cryis out aganis Latheris cautioners.

The cautioneris putis at Cragstoun.

He is pleisit to pay his fatheris dobt, albeit nather air nor executour.

The laird Inness policie.

Trysting betuixt frendis.

The conclusioun.

releif. The young man wes weill pleissit to pay his fatheris debt according to his promeiss, albeit he was nather air nor executour to him; yit his goodfather seing he culd not be compellit be law to pay his fatheris debt, wold onnawayis consent thairto, Follouit gryt outcrying aganis him, freindis met and trystit, at last it resoluit in this: The creditouris compellit the cautioneris to pay thame compleitlie, to the haserd of sum of thair estaitis, and thay gat sum releif, vtheris litle or none; whiche maid the distressit gentilmen to

Mony malediction prayit.

The young man deceisis.

pray mony maledictioun, whiche touchit the young manis consciens, albeit he could not mend it: And so throw melancholie (as wes thocht) he contractis ane consumeing seiknes quhairof he deit, leaving behind him ane sone callit Johne in the keiping of his mother,

He leavis ane sone.

He makis tutoris.

and left the laird Innes and hir to be his tutouris without advyss and consent of his awin kyn and freindis, quhilk suirlie is to be markit, considdering the wordlie cair and gryte conquess of the goodschir to mak wp ane estait, and syne to fall in the government of strangeris.

He deceisis and is bureit.

This youth deceisit in the place of Inness, and wes bureit besyd his father in his goodschiris Iyll of Kinedour.

Ye sie, folio 23, how James Grant escaipit fra the M^cGrigour. Fra that tyme he wes not publictlie sein, bot leivit obscurelie, yit wnder this thair lurkit sum poysoun as ye sall heir, whiche was

James Grant trystis with Ballindalloche.

young Ballindallache and he wes quyetlie wnder trysting vnknowne to any. And vpone the sevint day of December in this year, 1634, being Sonday, Elspet Innes spous to the said James Grant cam

Gryt policie.

wnder nicht to the yet of Petchash, the laird sitting at his supper, knokit, wan in, and roundit in his eir sum few wordis. Schortlie thairefter he rysis, (efter the burde is drawin) takis his wyfis plaid about him, with his suord and his targe in his hand, forbidding any to follow him, and furth at the yet gois he, bot his awin wyf wold

Him self and his wyf is takin wnler tryst.

not leave him. So he and scho and James Grantis wyf all thrie gois to Ballindallachis awin milne of Petchash, quhair the tryst wes set, and James Grant wes with tuelf men lying secreit, by Ballin-

The maner how.

dallochis knouledge that he had ony men. Aluaies James Grantis wyf cryis the watcheword, quhairvpone he cums out of the milne, him self allone schook handis with Balnadalloche and kissit his wyf. And immediatlie thair rushit furth of this milne the foirsaid tuelf men, laid handis vpone him and his wyf both, and trecherous-

lie tuke them to Culquohe, thrie myllis fra Petchash, quhair thay stayit short while, syne raiss wp (leaving his wyf behind him thair) and hyne go thay, bot sho returnit home to Petchashe with a wo hairt, as al the houss had. Aluayes thay trauellit vpone the nicht in obscure wayis, crossing and recrossing burnes and wateris that Ballindalloche sould not suspect the wayis. And thairwith he is changzeit be the arme to the arme of another strong lymmar and lokkit fast togidder, with his face musled that he micht not sie. Thus thay trauellit; Ballindallache alledgit it wes foull play wnder trysting to haue vsit him so. James Grant ansuerit, he had ressone for tua caussis. 1. He promesit to get him ane remissioun befoir Lambes last, quhilk wes not done. 2. He had delt with the Clangrigour to tak his life. Howsoeuer the mater wes, James Grant brocht him to Thomas Grantis houss, duelling at Dwadeis thrie myllis fra Elgyn, and in the hie get betuixt and Spey. Heir wes thair lodging takin wp, and the schakles lovsit fra Ballindallochis arme, quhairwith he wes tormentit, bot had still ane strong man vpone ilk gardie, whidder he wes sleiping or waiking; and this nicht he wes laid in the killogie, haveing Leonard Leslie, sone in law to Robert Grant, brother to the said James, one of his company vpone the ane arme, and ane strong lymmar callit M^cGrummon on his vther arme. Thus Ballindallache sat nicht and day, and lay betuixt thir tuo lymmaris, not knowing quhair he wes nor seing day licht, nor wan out to do the offices of nature, bot that quhilk wes convoyit furth of ane coig apointit for that office. The symmaris of this kill wes first overcoverit with dovetis and syne weill coverit with stray, quhairvpone James Grant and the rest lay just abone Ballindalloche. Throw want of air he wes lyk to perish that wes not vsit with sic lodging. Vpone Yool evin James Grant gois sum get of his awin, leaving Ballindalloche in the killogie betuixt thir tua gardianis, and his brother Robert Grant with vther tua lymmaris to ly abone the killogie, the rest he took with him self. Ballindalloche knew nothing of this depairtour, bot lying sore tormentit, and wiry oppressit with hunger, cold, and want of his kyndlie air, wanting fyre, candle, bed claithis, and few bak claithis in the deid of wynter, quhairby he is now at the poynt of dispair, yit the Lord seing him at this estait wes mercifull vnto him, for he

His wyf gois home

James Grantis travellis with Ballindalloch.

He is chanzyeit and pitifullie handlit.

He complains on his misvsage.

James Grantis ansueris.

He wardis Ballindalloch in Dwadeis houss.

He is evill drest.

He is in the killogie keipit fast.

He is evill handlit.

The forme of this kill, and how James Grant lodgit.

He gois out sum erand.

His ordouris.

Balnadalloch is tormentit.

He speikis to Leonard Leslie, who wes vpon his arme.
Craves his help.

perceaving quyetness he speikis vpone latein to Leonard Leslie, lamenting his miserie, craveing his help and assistance to wyn away, and promesit him ritche rewardis for his panes. Now albeit

Who this Leonard Leslie was.

this Leonard Leslie wes sone in law to Robert Grant, vncle to the killit Carroun, whose death this James Grant wes now seiking to

He has gryt trust.

revenge, and that Ballindallache wes speciallie intrusted vnto his

He revellis all to Ballindalloch, and quhair he was.

keiping: neuertheless, hoiping for rewaird, he tellis him in latein quhair he wes, quhilk Ballindallache wnderstood weill aneuch to be within thrie myll to Elgyn, thrie myllis to Spey syde, and thrie

He devysis his escaip.

myllis to the place of Inness. Then he schowis him that the morne being Sonday, and 28th of December, he sould seim to rax him self

A trym trik.

and schak him self looss of his arme quhilk Leonard keipit, syne with all his strenth to get his vther arme out of M°Grymmonis gripis, then haistellie to get wp and to the dur of the killogie, quhilk he sould behald. Ballindallach followit his counsall, schuke him self looss and wyns the killogie dur. Leonard first followit, and of set purpoiss fell efter him in the dur to stay M°Grymmon

Ballindalloche escaipis wonderfullie with Leonard be speid of foot

to follow efter. Ballindallache to the get with all the speid he culd ryn. Leonard followis and still is narrest to him. M'Grimmon gives the cry and followis. Robert Grant and the rest gettis wp and followis, bot Ballindallache wyns be speid of foot to the toun of Vrquhart and Leonard with him, for he quytit his company. The

Thay durst not follow.

rest durst not follow to Vrquhart, bot went thair wayis sad and sorrowfull for thair awin saiftie. Thus, efter tuentie dayis imprissonment in sic ane opin pairt, yit most obscure, Ballindallache miraculouslie escaipis by Godis permissioun; and efter dynner in Vrquhart he gois in his cot and trewis, now worne and rent, with

He goiss to Inness.

Leonard Lesly to the place of Inness, quhair the laird maid him veray welcum. He stayit that nicht, and on the morne about ten

Syne to Elgyne.

houris cam into Elgyne, quhair he stayit quhill Sonday syne depairtit, quhair I will leave him whill folio 35.

The Marquess sendis sum freindis with ane testimoniall to the counsall.

Ye heir, folio 27, how the Marques is chargit to compeir befoir the counsall, and fynding him self aigit, waik, and vnhabill to trauell in the deid of the yeir, as ye haue, folio 26, sendis over Johne Gordoun of Innermarkie, Gordoun of Glengarak, Schir Adame Gordoun of Park, James Gordoun of Letterfurie, James Gordoun ballie of Strathbogie, and James Gordoun oistler at Tur-

risoull, desyring thame to obey the charge whiche thay had gottin as ye haue, folio 26; and with all to present befoir the lordis ane testimoniall purchest be the Marques, wnder the hand of thrie ministeris, declairing his inhabilitie to travell, quhilk wes repellit becaus it wes not vpone thair soullis and consciences: And in the meintyme the haill gentillmen thame selfis wes wairdit within the tolbuith of Edinbrugh, and charges direct to Thomas Crombie, schiref principall of Abirdein, to raiss the countrie and tak the rest of thir brokin men who had not compeirit, and to convoy them to the next schiref; and sua furth fra shire to shyre whill thay war brocht befoir the lordis of counsall. The schiref convenis about 200 horss, gois to Strathbogie and throw vther suspect pairtis vpone the 30th of December, bot could fynd none within the schire of Abirdein, bot wnderstood thay war within Rothimay, quhilk is within the schire of Banf, quhilk the schiref wreit bak to the counsall, schewing also his diligens. The lordis heirvpone sendis ane commissioun to George Baird of Auchmedden, schiref principall of Banf, be commissioun to go to the place of Rothimay and throw the haill schire, serche, seik, tak, and aprehend thir brokin men, in maner and to the effect foirsaid; quhilk charge the schiref obeyis, gois about 200 men to the place of Rothimay, and by expectatioun findis oppin yettis, enterit the place, socht the haill roumes, bot no man wes thair, for thay had fled about tua houris befoir the schirefis cuming, quhairvpone he disbandit the gentillmen, and ilk one went to thair awin houssis. Bot the schiref wes no sooner gone bot thay cam all bak agane to Rothimay, quhair thay held houss in wonted forme, sie moir, folio 32 and folio 31, anent the Marquess.

The testimoniall is repellit, and the gentilmen wairdit.

The schiref of Abirdein getis chargis to [tak] thir brokin men.

The schiref vsis diligenss.

He wreites to the counsall.

The schiref of Banf getis ane commissioun.

He getis opin yetis in Rothimay, bot all was fled.

The schiref gois bak.

The Gordouns' returnis.

Thomas Crombie schiref of Abirdein, and Mr. Alex[r] M[c]Kengzie schiref of Innerniss, for this yeir 1634; and in December the said yeir commissioun send doun to the laird Drum to be schiref of Abirdein for the yeir 1635, and likuaies to Thomas Fraser of Strechin to be schiref of Innerniss for that yeir.

Thomas Crombie, schiref of Abirdein. Mr. Alexander M[c]Kengzie, schiref of Innerniss, 1634. The laird Drum and Strechin schirefis, 1635.

At Mihaelmes 1634, Patrik Leslie gynis himself prouest of Abirdein. He is schortlie, be the Kingis warrand, dischargit, and Schir Paull Meingzeis re-electit in his place,[a] to Leslyis gryt grief, quhair-

Patrik Leslie is maid prouest of Abirdein and dischargit.

[a] These proceedings took place on 14th January, 1635. On that day the following missive from his Majesty was presented to the Council by Mr. Patrick

of the like had bein seldom sein in Abirdein, ane man to be chosin prouest and syne schortly to be deposit, quhilk wes thocht his awin fault in seiking a place that he sould haue bein socht thairto,

His procedure.

Chalmers, Sheriff-Clerk, on behalf of the Sheriff of the shire, who at that time was in Edinburgh:—

'CHARLES R. Trustie and wellbeloued, we greet you weell:—Whereas, we ar informit of sume seditious convocatiounes practised amongst you, comeing, as we heir, especiallie frome the electioun you have latelie made of one Patrik Leslie for your prouest, whome we wer informit to haue wrongit your trust in his careage at our late parliament, and thairfoir to haue deserued no suche chairge, and in regaird we haue alwayes formerlie found you forward for our seruice, and accordinglie haue dispensed our favour to you in quhat micht concern your liberties and priviledges; Now, being cairfull of that which may concerne our seruice, and the peace and weell of that our citie, in redressing of the abuses past, and preventing the lyke inconvenient, it is our pleasur, for that effect, that you remove the said Patrik Leslie frome being your prouest, and in his place we wish you to mak choice of Sir Paull Mengzes who wes formerlie in that chairge. So, not doubting of the performance of this our plesour, we bid you fareweell. Frome our Court at Whithall, the 10th of December, 1634.' Efter publict reading of the quhilk missive, and all respectiue consideratioun takin of the tenour and contentis thairof, the saidis Prouest, Baillies, and Councell, all in ane voce, with all submissive dewtie and obedience, humblie acknowledgit thameselffis bund to the speedie and weall performance of his Majesties royall plesour thairin conteanit. Lyke as, the said Patrik Leslie, present prouest, for himself and his awn interest, humblie acquiesced in his Maiesties plesour signified concerning him be the said missive, and instantlie conforme thairto, dimittit and laid downe the said office of Prouestrie at his Maiesties feit, to the effect choice may be maid of the said Sir Paull Menzies to be Prouest in his sted, according to the warrand and desyre of the said missive. Whairwpoun command was giuen to the Baillies to conveine presentlie the late counsall of this burgh the zeir immediatlie bygaine, with the haill deacones of craftis, and thay that have vote with the present counsall in the electioun of the Prouest and remanent Magistrattis of this burghe; and, accordinglie, the said auld counsell, in the zeir immediatlie bypast, with the sex deacones of craftes, being fullie conveinit in the said Counsalhous, and his Maiesties missive above writtin being again publictlie red in thair audience, the saidis new and auld Counsallis and haill deacones of craftis being seuerallie demandit be the said Gilbert Colinson, baillie, whome they wald chuise to be Prouest in place of the said Patrik Leslie, who had voluntarlie demittit his office of Prouestrie, as said is, thay all, in ane voce, with all submissive respect and obedience, acknowledgit thameselffis bound, not onlie to the redie and present performance of his Maiesties royall plesour, signified be the said missive, but lykwayis to everie uther thing lying in thair possibilities, that may concerne his Maiesties service. Lyke as instantlie, be thair uniforme voyces, they elected and choosed the said Sir Paull Mengzeis to be prouest of this burghe till Michaelmes nixt to cum, in place of the said Patrik Leslie; and the said Sir Paull being personallie present, acceptit the said office of prouestrie in and wpoun him, and gaue his aith for faithfull administratioun thairin.' (Council Register, vol. lii., p. 197.) A 'gratious and favourable missive,' to the Council, was soon afterwards received from his Majesty, in which he acknowledges 'thair gude affectioun to his service, and gives them hartie thanks for their reddie obedience' to his Royal command, contained in the above letter. (Ibid. p. 203.)

yit he labourit so that he is thairefter maid prouest, as ye haue, folio 158, sie folio 38.

In the moneth of December Schir George Hay, Erll of Kynnoull, and Chanceler of Scotland, depairtit this lyf, and likuaies Johne, Erll of Mar. The Chancelar and Eril of Mar depairtis this lyf.

About this tyme ane pot of the water of Brechin, callit Southesk, becam suddantlie dry, and for ane short space contynewit dry, bot boltis wp agane and turnis to the owne courss, quhilk wes ane ominous taikin thocht to be for Scotland, as it so fell out and be thir nottis do appeir. Ane pot of Southesk becums dry: ane ominous token.

ANNO 1635.

About or in the moneth of Januar thair wes sein in Elgyn ane gryt blaseing star like to ane comet, representing the schape of ane crab or cancer, haueing lang broyndis or sprayngis spredding fra the samen. It wes sein in Elgyne and in the country of Morray, and thocht be sum that this water, and the drying wp of the pot of Brechin, as is befoir nottit, wes feirfull and prodigious signis and foircummeris of gryt trubles in Scotland, quhilk over treulie cam to pas, as efter ye sall heir. Ane comet sein in Elgyn: Prodigious also. Foir rynneris of trubles

In this moneth of Januar Mr. Johne Spotiswod, archibishop of Sanct Androis, is now by death of schir George Hay, Erll of Kynnoull, maid heiche Chanceler of Scotland, his sone being president of the College of Justice by deceass of schir James Skeyne a litle befoir. This wes thocht strange, and markit be many to sie ane bischop maid chancelair and his sone president both at ane tyme, quhilk bred gryt truble as efter do appeir. The archibischop of Sanct Androis maid Chanceler. His sone schir Robert Spotiswod president. It breidis gryt trubbill.

Ye haue, folio 30, anent the Marquess sending over his testimoniall, quhilk wes rejectit, and for his not compeirans both he and the rest who did not compeir war put to the horne, and sic as compeirit war wardit. The Marquess takis this to hart, and in ane gryt storme vpone the nynt of Januar, be chareot he cumis fra

The Marquess cums fra the Bog with his lady and tua of his oyis to Strathbogy.

Strathbogie to the Bog, haueing in his company his noble lady and tua of the Lord Gordoun's children (whiche wes left be thair mother when scho went to France, to be brocht wp with thair good dame) with sindrie freindis. He stayit that nicht in Strathbogie, Setterday and Sonday all day. Mononday, he trauellis to the Newtoun of Culsalmound, quhilk wes bot aucht myllis, quhair he stayit that nicht. Tuysday, he cam to Kintor, vther aucht myllis, and stayit that nicht. Wedinsday, he cam to Abirdein, vther aucht myllis, quhair he stayit whill Frydday. And that day he cam to Cowie, tuelf myllis. Setterday, he went to Fettercarne, xiiij myllis, quhair he wes storme sted Sonday, Mononday, Tuysday. Wedinsday, he went to Brechin, sex myllis distant fra Fettercarne. Thuirsday, he went to his awin place of Melgyne,[a] tua myllis fra Brechin, quhair he is storme sted whill the tent of Februar.

His progress south.

He is stormsted in Melgyne.

The lordis is not content.

Charges direct out aganes him to enter his persone in waird.

Bot this gave no content to the lordis of counsall, and thairfoir thay directit Eleazar Makissoun ane herauld to charge the Marques at his duelling place of the Bog, and mercat cross of Banf, heid brughe of the schire, to enter his persone in waird within the castell of Dumbreton, albeit thay certanlie knew he wes vpone his journey scarss abill to trauell, and storm stead also: Yit sic wes the moyan that Frendracht had at this tyme, that he brocht the Mar-

Frendracht hes gryte moyan.

[a] The barony of Melgund in the parish of Aberlemno, about 4 miles from the town of Brechin, was purchased by Cardinal Beaton in 1542, from Janet Annand, the heiress of it, with consent of Balfour of Baledmonth, her second husband. The lands were settled by the Cardinal on Mariot Ogilvy (who was the mother of several of his children) in liferent, and on David Beaton, her eldest son, in fee. The castle of Melgund is believed to have been erected by the Cardinal. Two shields, charged with the Ogilvy arms, and having the letters M.O. at the sides, may be seen on two places in the castle. The ruins are yet extensive and picturesque. The lands continued in the Beaton family till about 1630, when they were purchased by the Marquis of Huntly, who, in 1635, sold them to Maule of Boath, one of the earliest cadets of the Panmure family. Although they were possessed by the Marquis for so short a time, yet, during that period, his improving hand was not idle, as appears from the notice of Ochterlony of Guynde, written about 1682. 'Melgund . . . ane excellent house, good yards, and two fyne parks, and much planting; ane excellent outer court before the gait, with excellent stone walls about it: the house built by Cardinal Beaton, and the parks by the Marquis of Huntlie, and some addition made to all by Henry Maule, late laird thereof. It is a very sweet and pleasant place, fruitful in cornes, well grassed, and abundantly provided of turf, as is also Auldbar, and the rest of the parish, from the muir of Montroymont.' (Miscellany of Spottiswoode Soc. vol. i., p. 324.)

ques of Huntlie to thir extremeteis do his best, quhilk wes admeirit of be many in this land.

This samen herauld or pursevant chargit the ladie Rothimay to rander the haill keyis of the place, quhilk scho humelie obeyit, for then no Gordouns wes within; and the pursevant took the keyis with him, efter he had lokkit wp yetis and durris, to deliuer to the counsall. Bot he returnit no soner south bot alss sone the Gordouns cam bak agane to Rothimay, strak wp the yetis and durris, and duelt thairin noblie. Bot in the meintyme letteris of intercommoning is proclameit aganis thame, quhairby as thay war lawless so maid freindless, and sua micht not byd togidder, thairfoir thay pairtit the pelf amongis them, kest wp the yettis of Rothimay and ilk man to do for himself, and pairtit company vpone the 23d of Januar. All this tyme the Marquess is stormsted in Melgyne, old and vnhabill to trauell in so gryte ane storme, quhilk began in Januar and contynewit to the sext of Merche thairefter, quhairby few wes habill to trauell, and mony schipis perishit on our cost. Notwithstanding of all this Frendracht delt so be his moyan, that the lordis directit the foirsaid Eleazar Makkissoun, pursevant, to go charge the Marques of Huntly (in respect of his disobediens) to rander the keyis of his houssis, quhairin he kepit his residenss, wnder the pane of tressoun. The Marques receavit this charge quhill he wes storm sted in Melgyn, who willinglie obeyit, and sendis word to his balleis to deliuer to the said Eleaser Makkissone, how sone he cam thair, the keyis of Strathbogie and the Bog, quhilk he receavit vpone the nynt of Februar; and south gois he and presentit thame befoir the counsall. The Marques thocht weill vncouth of this scharp and seveir dealling, and thairfoir, but feir of the storme or perell of his lyff, leavis Melgyn vpone the tent or tuelft day of Februar, who with his lady wes careit in ane coache, borne vpone long treis vpone menis armes, becauss horss micht not trauell in respect of the gryt storme and deipness of the way cled with snaw and frost: And thus with his company the first nicht he cumis to Dundie, and sua forth to Edinbrugh. Vpone the day of Februar he compeiris befoir the counsall, and vpone his compeirans he is relaxit fra the horne. Thairefter the lordis demandis whidder he wes airt or pairt, or on

The lady Rothimay chargit to rander her houss, quhilk scho obeyis.

The pursevant had the keyis south.

The Gordouns strikis wp the yettis and duells thairin noblie.

Letteris of intercommvning proclamit aganis them.

Thay pairt company.

The Marquess still storm sted.

He is chargit to rander the keyis of his houssis.

He obeyis.

The keyis is had south.

The Marquess leaves Melgyn in the storme.

His progress to Edinbrugh.

He compeiris befoir the lordis. He is relaxt.

He is examinat.

the counsall, or hounder out of thir gentilmen of the name of Gordoun to do sic oppin oppression and iniureis as thay did daylie.

The Marquess ansuer.

The Marquess denyit that he wes privie to sic courssis, nor wes it agrieable with his honour to revenge his just caus vpone killing of beistis or burning of cornes. Then thay vrgit him, as cheif, to bring in these lawles people to the counsall. He ansuerit, he wes not schiref nor had auchtoritie, and that he wes now becum old, febill, and waik to bring in sic people, discendit of ane stok be them selfis, who wes seiking revenge of thair blood, and wold nather be counsallit nor reullit be him. Bot if his sone war in the countrie (who is now in France) he war moir able for sic bussines nor he. The lordis hard him, bot said he sould have commissioun to serche, seik, tak, and aprehend thir brokin men, or put them out of the kingdome, and not to recept thame within his boundis; as also to report his diligens befoir the sext of Junij nixt to the counsall. He wes ordanit also to set cautioun to Frendracht that he, his men tennentis and seruandis, sould be harmles and skaithles in thair bodeis, gudis, and geir of his lordschip, his men tennentis and seruandis, and of the said brokin men in sua far as he micht stop or lat, vtheruaies nor be ordour of law and justice, wnder the pane of ane hundreth thousand poundis; as also to pay to Frendracht sic cost and skaith as he sould sustein be thame fra the sext day of Aprile nixt to cum, and in all tyme cuming. This being done, the Marquess gat bak his keyis, quhilk he took with the burding foirsaid, and culd not mend him self suche and so gryte wes Frendractis moyan aganist him at this tyme. And siclike schir Adam Gordoun of Park, James Gordoun of Letterfurie, and the rest who wes wairdit, as ye haue befoir, folio 30, wes put to libertie, vpone cautioun that thay sould compeir befoir the counsall vpone the 17th day of Junij nixt thairefter.

Thay vrge him to bring in the Gordouns.

His ansuer.

He getis ane commissioun to tak them, and report his diligence.

He setis cautioun to Frendracht for lawburrowis.

The Marquess getis bak his keyis.

Schir Adam Gordoun and the rest put to libertie vpone cautioun.

It is said the Erll of Morray cam kyndlie now to the Marquess and did him all the favour he culd, who had not spokin togidder a certan tyme befoir.

The 'Erll of Morray is kynd to the Marquess.

The Marquess wretis hame to his balleis that none of his boundis sould recept any of thir brokin men, quhilk maid them heichlie offendit, schot pistollis at Robert Gordoun, ballie of the Engzeis houss, syne went thair way, sie moir, folio 34.

The Marquess forbids to recept thir broken men.

Thay ar offendit.

Vpone the tent of Marche, the Clangrigour took ane Donald Cuming in Glenraness, who wes with James Grant at the slauchter of Patrik Ger. And in the same place quhair he wes schot thay cruellie slew him with durkis. Thay also, vpone the 18th of Merche, slew Fyndlay M'Grimmon ane follouer of Carroun's, and who wes the instrument of his death, for Carroun manteynd him aganis Ballindalloche as wes said, and he (weill worthie of deith) as a gryt lymmar wes thus cut af.

Donald Cuming slayn.

Fyndlay M'Grimmon slayne.

Thir lawless M'Grigour, wnder cullour of seiking James Grant, opprest the countrie wp and doun, sorning and taking thair meit, defloiring virgynes and menis wyves, and begetting of barnes in hourdome, without pvnitioun quhaireuer thay went.

The Clangregour gryt oppressouris.

The laird of Frendracht is not sitting idle. He purchessis fra the counsall ane commissioun, direct to George Baird of Auchmedden, schiref principall of Banf, to tak the lady of Rothimay and man the place, who did so and convoyit hir to the schiref of Abirdein, who convoyit hir to the nixt schyre, and sua fra schyre to schyre quhill scho wes brocht to Edinbrugh. The schiref of Banf set in the place tuentie men to keip the samen, who wes sustenit vpone the ladeis charges and expenssis. Scho is brocht befoir the counsall and accusit for recepting of thir brokin men, who denyit the samen, saying thay took in hir houss perforce, and schot hir self with hir barnes to duell in the kilbarne. Neuertheless in the moneth of scho is wardit, and in July thairefter scho is removit from cloiss waird, and gat libertie to walk wp and doun the toun vpone setting of cautioun that sho sould not go without the portis indureing the counsallis will. Thus is this dulefull lady vsit, who had hir husband slane and hir sone brunt.

Frendracht purchesis ane commissioun to the schiref of Banf to tak the lady Rothimay.

He manis the houss and takis hirself.

Scho is had to Edinbrugh.

Scho is accusit befoir the lordis.
Hir ansuer.

Scho is wardit.

Getis sum libertie.

Scho is evill vsit.

About this tyme the lord of Balmyrrinoche is put to the tryell of ane assise, and convict in certane capital poyntis. The judge contynewis his doome quhill he wreitis to the King, who most gratiouslie remitit him his lyf, ordaining him to be confynit within sex myllis to his duelling of Balmyrrinoche during his lyftyme. Thairefter gat full libertie, to the Kingis gryte greif for this his goodness, sie folio .

The lord Balmirrinoch accusit and convict.

The King remitis him.

He is evill acquyte.

The M'Grigour oppressis the landis of Balweny. The laird sendis for ane commissioun, and in Aprile he sendis out his eldest

The Clangregour cheasit be Balveny.

none with ane company, who cheasit thame and put thame all to flight, quhilk the Clangregour forgot not as ye sall heir, folio 36.

The Marquess comis to Strathbogie.

Ye heir on the vther leaf of the Marques of Huntlie. He stayit in Edinbrugh, and vpone the sext of Maij he, his ladie and tua eyis, cumis hame to Strathbogie.

Huntlie ane court.

Vpone the morne he haldis ane court, and sendis out his sone Adam [and] James Gordoun of Letterfurie with

Sendis thir brokin men.

ane company to go serche, seik, tak, and aprehend thir lawles men of his name and thair followeris; quhairvpone James Gordoun callit the soldiour, Johne Gordoun, sone to Littill Mill, Johne Gordoun of

Som eshapis and flais.

Drumdelgy, and James Gordoun, sone to Ballarmy, fled, schippit at Cowsie over to Ross to Cathness, and fra that furth of the kingdome, so ilk ane of the rest fled and left the countrie perforce.

The rest followis.

The Marquess comis to the Bog.

This being done, the Marquess with his ladie and the rest cumis vpone the 17th of Junij to the Bog.

Frendracht returnis hame

The laird of Frendracht byding still in Edinbrugh fra November 1634, to about this tyme, and heiring of the Marquess procedur, and that he had set cautioun, returnis fra Edinbrugh the moneth of Maij to his awne houss of Kinordy, thinking to leive moir peciablie nor befoir, sie folio 36.

Letterfurie hes to Edinbrugh the Marquess diligens, and cum louns hoilis.

James Gordoun of Letterfurie went to Edinbrugh and reportit the Marquess dilgens anent thir brokin men, and had over the heidis of certane louns quhilk the Marquess causit execute for thair odious faultis, quhairof the lordis thocht muche good. And the said James Gordoun, for him self, offerit to enter his persone in waird conforme to the last act, bot vpone fynding of new cautioun he gat libertie to returne home agane, yit resoluit to haue the Marques him self to give accompt of his diligens befoir the counsall, conforme to the last act as he did, sie the vther syde.

The lordis thinkis weill of this, yit will haue the Marquess cum him self.

Letterfurie settis cautioun for him self and cumis home.

The monster sein in Done.
The descriptioun thairof.

In the moneth of Junij thair wes sein in the river of Done ane monster like beist, haueing the heid like to ane gryt mastif dog or swyne, and handis, armes, and papis like to ane man, and the paipis seimit to be whyte. It had hair on the heid, and hynder pairtis wes sein sum tyme above the water, quhilk seimit clubbish, schort leggit, and schort futtit, with ane taill. This monster wes sein

It is sein swyming abone the water.

swyming body lyke above the water about ten houris in the morning, and contynewit all day, visiblie swyming abone and beneth the brig without ony feir. The tounes people of both Abirdeinis cam

out in gryt mvltitudis to sie this monster. Sum threw stanes, sum schot gvnis and pistollis, and the salmound fisheris rowit cobles and netis to catche it, bot all in vane. It neuer shrinkit nor feirit, bot wold dovk wnder the water snorting and bullering, teribill to the heiraris and beholderis. It remanit tuo dayis and wes sein no moir; bot it appeiris this monster cam for no good to noble Abirdein, for soir wes the samen oppressit be gryt trubles that fell in the land, and gryt skaith thay sustenit be schipwrack, as in thir notis do planelie appeir.

The people castis stanes and schootis at it, bot all in vane.

It remanit tuo dayis.

A prodigious tokin for Abirdein.

Ye haue befoir, folio 30, how young Ballindalloche mervalouslie escaipit out of the killogie. He restis not whill he gat ane commissioun, and takis Thomas Grant goodman of the killogie, Grant his sone, Patrik Anderson in Elchess, with tua vther fellowis who wes the ordiner recepteris of James Grant foirsaid. He, vpone the thrid of Julii, brocht them to Elgyn, presentit thame to the schiref deput, who receavit and wairdit them in the tolbuith thairof. Tua of thir lymmaris wan away by wirking out ane hoill wnder the dur thrashell, and vther thrie wes convoyit to the schiref of Banf, and sua furth fra shyre to schyre quhill thay war brocht to Edinbrugh, quhair Thomas Grant wes hangit to the deith for recepting of James Grant in the killogie, and not reveilling to Balnadallachis freindis quhair he wes. The vther tua wes baneshit out of Scotland for euer, sie moir, folio 37.

Ballindalloch takis Thomas Grant his sone, with sum vtheris who recept James Grant.

Thay ar wardit in Elgyne.
Tuo escaipis.

The rest had to Edinbrugh.
Thomas Grant is hangit, and tua vtheris baneshit.

Vpone the 15th of July (the Marques haueing gottin new charges to schow his diligens, as ye haue on the vther syd) takis journey from Strathbogie to Edinbrugh be chareot. He declairis his diligens, as he wes oblegit be virtue of the last act. The lordis of counsall is weill pleissit thairwith. He is ordanit to set new cautioun for keiping of the Kingis peace, wnder the pane of ane hundreth thousand poundis for him self, and all that he micht stop or lat; quhilk being done, he returnis fra Edinbrugh to his awin place of Melgyn, and thair dispones the samen heritablie, but reversioun, to Mauld of Both, for certane soumes of money. The Marques had conquest thir landis him self abefoir, and now be ressone of thir trubles sellis the samen agane. Fra Melgyn he cumis to the Bog vpone the 25th of August, weill thocht of be the counsall for putting the brokin men out of the countrie, as ye hard

The Marquess gois to Edinbrugh.
Schowis his diligens.

The lordis ar pleisit.
He setis new cautioun.

He returns from Edinbrugh.
Sellis Melgyn.

He agreis with Balnadalloche.

befoir. He agreit also with Balnadalloch in Edinbrugh at the Erll of Morrayis desyre.

Cumis to the Bog. The Clangrigour herryis Avache perteining to Balveny.

Ye heir, folio 34, how the McGrigour wes cheasit be the young laird of Balveny, for the quhilk thay cam to the toun and landis of Avache pertening to him, and violentlie took and callit away, fra thrie pure tennantis occupearis thairof, thair haill horss, nolt, scheip, ky, and vther goodis; and sic bestis as wold not call thay cruellie killit, and left thame behind lying on the ground, quhilk Balveny could neuer get repairit.

The form how the Marquess agreit with Balnadalloche.

Ye heir befoir that the Marques agreit with Balnadalloche. It wes done in Edinbrugh at the Erll of Morrayis desyre, albeit Balnadalloche had killit Carroun cum and out of the houss of

The laird Grant agreis likuayis.

Huntlie discendit. The laird of Grant agreit likuaies with Balnadalloch, and both cam home from Edinbrugh good freindis.

Capiten Adame Gordoun resoluis to cum home and tell the treuth.

Ye hard befoir, folio 34, how capiten Gordoun of Park and the rest of the brokin men war put out of the countrie be the Marquess. This capiten Adam thocht havie to be baneishit out of his native country, resoluit to cum home, reveill the treuth, and do for him self. Like as in the moneth of September he cumis to Edinbrugh,

He getis ane remissioun.

and vpone his revelationis he getis ane ample remissioun for him self for all byganes, and with gryt diligens passis throw the seallis.

His peace is proclameit, to the admiratioun of diuerss.

Like as in October his peace is proclamit at the mercat crossis of Edinbrugh, Abirdein, Banf, and Elgyne of Morray, and wes weill intertaynde in the clerk registeris awin hous in Edinbrugh. This hastie purchest peace wes admeirit at be many thinking surelie he had reveillit sic as he knew of the instigatouris of thir troubles, as it wes trew indeid, sie folio 40.[a]

[a] 'In the end of the year of God one thousand six hundreth thirtie-fyve, one Adam Gordon, the second sone of umquhyll Sir Adam Gordon of the Parke, (a principall ringleader of the rebels in the north), perceaving that the Marquis of Huntley did so eagerly and hotly pursue him and his complices, that no place of retrait was left to them, nor meanes to escape, he hath recours to the King's mercie. He addresseth him self secretly to the Archbishop of Saint Andrews, (then chancellor of Scotland), and submitteth himself, promising, that if his Majestie would grant him his pardon, he would reveal the author and fountain of this rebellion. The Archbishop imbraceth the motion, and sends a post with speed to the King to London, who presentlie signes Adam his pardon, and sends it into Scotland; which being come, and delivered unto Adam, he accuseth the Marquis of Huntley to have bin the author of this commotion, and the hunder out of him and his associats against Frendrett. Thereupon a commission is

Quhairvpone followit that the Marques of Huntlie wes chargeit vpone the secound day of November, be ane herauld or pursevant, to compeir befoir the counsall the first day of December, and to produce James Gordon of Letterfurie, James Gordoun, ballie of Strathbogie, Johne Gordoun of Ardclache, [Alexander] Gordoun of Carnburrow, Johne Gordoun of Innermarky, with Alex^r Gordoun, *alias* Swankie, and Johne Lichtoun, his lordschipis domestik seruitouris, and diuers vtheris, as alledgit hounderis out of the brokin men to do the iniureis formerlie set doun. And siclike charges wes givin to the haill barronis and gentilmen of the name of Gordoun

The Marquess is agane chargit to produce certane of his freindis

Barronis and gentilmen of the name of Gordoun chargit.

sent be his Majestie into Scotland, unto a selected number of lords of the privie councell, (by way of a committee) to try and examine the business. Adam Gordoun chargeth James Gordon of Letterfurie to have imployed him and his accomplyces, in the behalf of the Marquis of Huntley, against the laird of Frendret. Letterfurie is caled to Edinbrugh to abyde a tryall. Being come thither, he is confronted with Adam Gordon, before the lords, and then committed to clois prison in the tolbuith at Edenburgh, having denied all that Adam laid to his charge. The Marquis of Huntley is summoned to appear at Edinbrugh, the fyfteen day of Januar, one thousand six hundreth thirtie-six yeares: he keeps the appointed day and place. Being then caled before the lords of the committee, he is confronted with Adam Gordon. The Marquis denies Adam's accusations, and cleareth himself with great dexteritie, beyond admiration; yet, upon presumption, he is committed close prisoner in the castle of Edenburgh, and his page is closely imprisoned in the tolbuith of Edenburgh.

The King's Majestie being advertised of all these proceedings by the lords of the committee, and understanding what smal proof was brought against the Marquis, (being but the accusation of one man, to save his own life) both he and James Gordon of Letterfurie, and the page, are released out of ward, they finding surety and caution for the laird of Frendrett his indemnity in time coming: and withall, his Majestie laid a command upon his servant, Sir Robert Gordon, (who was then returning into Scotland) to deal effectually betwixt the Marquis and the laird of Frendrett for a reconciliation, becaus their discord bred the confusion and disorder which was then in the north of Scotland. For the King knowing the interest Sir Robert Gordon hade in them both, the one being his cousine-germain, and chief of his family, and the other having marryed his neece, his Majestie was the more earnest in laying that command upon him. Adam Gordon perceaving that the Marquis was cleared and released, he leaves the kingdom; and assembling a company of men, with these (be the councell's tollerance) he transports himself into Germany, a captain in Collonel George Leslie his regiment. Sir Robert Gordon, at his return then into Scotland, conforme to his Majesties directions, delt so effectually with the Marquis of Huntley, and with the laird of Frendrett, that both the parties did harken to a reconciliation; and a submission is subscrybed, whereby all debatable questions and differences are on either syde, (and particularly a great action of law, prosecuted be Frendrett against the Marquis) were referred to the arbitrament and decision of freinds; but the final conclusion thereof was interrupted by the death of the Marquis of Huntley, and so the laird of Frendrett retired himself home to his own lands, and lived there peacibly.' (Hist. of Earls of Sutherland, pp. 478, 479.)

within the schirefdomes of Abirdein, Banf, and Morray, to compeir the foirsaid day befoir the counsall, to the effect that thay with the Marques suld set cautioun for keping of the Kingis peace. This Frendracht wrocht also for his better securitie, and as wes said, the Lord Gordoun now being in France, wes chargeit vpone thrie scoir dayis to set cautioun in like maner.

All to set cautioun to Frendracht.

The Lord Gordoun is chargit.

Vther charges aganis the Marquess for intercommvning.

And vpone the bak of this followit vther charges aganis the Marquess, that he sould compeir the day foirsaid befoir the counsall, and ansuer for the alledgit recepting, suppleing, and intercommvning with the brokin men efter publicatioun of the letteris thairof. Thir charges cuming so thik vpone the Marquess, still be moyan of the laird of Frendracht, he set him self to obey, and in the deid of the yeir, cold, tempestuous, and stormy, vnplesant for ane man of his aige to trauell in, yit he and his ladie be chareot went to Edinbrugh, compeirit befoir the counsall with James Gordoun of Letterfurie, and Alex^{r} Gordoun, callit Swankie, his page, for no moir compeirit at this day of all the rest. The Marques wes thair confrontit face to face with capiten Adame Gordoun anent the wrongis done to Frendracht. Howsoeuer the mater wes, the Marques cam miscontentit fra the counsall houss. The chanceler had him to dynner, and efter thay had dynit the chanceler, in his awin houss, commandit him to enter his persone in waird within the castell of Edinbrugh, togidder with the said James Gordoun and Alex^{r} Gordoun, to be wairdit within the tolbuith of Edinbrugh and keipit in cloiss prissoun, not seing day licht, bot servit with candle licht. The lordis refuisit to let the ladie Marques go to the castell with hir husband except scho wold waird also, and with great intreattie had the fauour to zooll with him, bot to stay no longer. The Marquess page, Alex^{r} Gordoun, gat libertie to go out of the tolbuith and byd besyde his maister in the castell, bot Letterfurie stayit 14 dayis in cloiss waird to his gryt greif. At last he wes removit to ane vther chalmer, quhair he had day licht and oppin wyndois. The laird of Frendracht rode from Kinordie and keipit this counsall day, sie moir, folio 39.

He obeyis, gois to Edinbrugh.

Compeiris befoir the lordis, with Letterfurie and his page.

The rest compeirit not.

The Marquess is confrontit with capiten Adam Gordoun.

He is displeisit.

Dynis with the Chancler.

Wairdit in the castell.

Letterfurie and his page wardit in the tolbuith.

The lordis wold not suffer the lady Marchioness to go to the castell.

Letterfurie removit to another chalmer.

Frendrancht keipit this counsall day.

Donald Farquharsone being chargit with the rest, and haueing set cautioun wnder the pane of 1000 lib., fled and wes fugitive, bot his brother who wes cautioner wes wairdit, and payit the soume

Donald Farquharsone fugitive.

His cautioner fynit.

befoir he wan to libertie, viz. Mr. James Farquharsone, ane of the wreitaris to the signet in Edinbrugh.

Schir Alex^r Irving of Drum and Thomas Fraser of Strechin wes this yeir contynewit schirefis of Abirdein and Innerniss for ane yeir. Schirefis of Abirdein and Innerniss.

Patrik Forbess of Corss, bischop of Abirdein, depairtit this lyff in his awin pallace, vpone the 28th of Marche, in the yeir of God 1635, and wes bureit in bischop Gawin Dumbaris iyll.[a] The bischop of Abirdein departis this lyf.

Gryt death amongis the barnes in the pox this yeir, and sum had the pox tuyss, not vsuall in former tymes. Death of the pox.

Ye hard befoir, folio 35, how Ballindalloche took sum of James Grantis men. He purchessit also ane commissioun aganes him self and his folloueris, who in December slew ane callit M^cBean, seruitour to the said James, with ane vther innocent man in his company, quhilk the said James beheld patientlie and lay quiet quhill he brak out, as ye have, folio 38. Ballindalloch purchesis ane commissioun aganis James Grant. Killis tuo of his folloueris

ANNO 1636.

Ye hard befoir, folio 30, how Robert Johnstoun wes chosin prouest of Abirdein in place of the deposit Patrik Leslie.[b] It wes

[a] 8th April, 1635.—'The quhilk day the prouest, baillies, and counsall ordainis the tounes haill tuelff peice of ordinance to be shot the morne, at the buriall of of umquhill Patrick, late bishop of Aberdeine, in testimonie of thair affectioun and deserveit respect to him; thairof thrie peice to be shot at the lifting of the corps out of the cheppell on the Castle-hill, and the other nyne to be shot howsone the buriall passes by the tounes merche at the Spitillhill, and thairefter the said haill ordinance to be chairgit and shot of new againe at the interring of the corps; and the haill bellis to be tollit during that ilk tyme. Lyke as they appoint Walter Robertsone, Dean of Gild, to caus mak in redines the said ordinance to the effect foirsaid, and what he deburses thairwpon sal be allowit to him in his comptis.' (Coun. Reg., vol. lii. p. 203.)

In the kirk and bridge work accounts of that year are the following entries:—'For the len of blakis to cover the pulpitt withall at the Bishop's buriall, xxjxsh.; for preins and taketis thairto, viijsh. iiijd.; to Andro Ingrahame, for the len of tuelff peices of blackis to cover the pulpitis of both the kirkis, the Sunday efter the Bishop's buriall, iij lib. xij sh.; for taketis and preins thairto at the said tyme, xiijsh. iiijd.' (Book of Bon-Accord, p. 220, note. Aberd., 1839.)

[b] Sir Paull Menzies was chosen to be Provost in the first instance, as our author has stated at the place to which he makes reference, and Johnston succeeded

thocht the lordis of Counsall wes not weill content. Aluayis according to the forme thair wes no electioun maid at Michaelmess, bot thair wes ane leit send to the counsall, be the counsall of Abirdein, out of the quhilk Mr. Alex[r] Joffray wes chosin prouest of Abirdein for ane yeir, in Januar 1636 foirsaid. Mony lichtleit both

Mr. Alex[r] Joffrey chosin prouest, and maner how.

Sir Paull in office. It appears that the provost, baillies, and council, met on 23d September, 1635, for the purpose of electing the new council and magistrates for the ensuing year; and that, while thus engaged, they were interrupted by the entrance of 'ane reverend father in God, Adame, bishope of Abirdeine, one of the lordis of his Majesties most honourabill privie counsall, and Thomas Crombye, shireff principill of Aberdeine, whome the said reverend father desyrit to be eye witnes, and to bear testimonie of his proceidings in the present busines.' The bishop referred to 'ane notor and evident divisioun, sensiblie seine amongst thame, anent the electioun of thair magistrattis and counsall, to the apparent danger of the commoun wealth;' for preventing of which, he requested them to defer their election till he acquainted his Majesty, and lords of secret council, therewith, and some order might be taken for settling their present divisions. The majority of the council, however, on a vote, resolved to proceed with the election; whereupon the bishop, on his authority as one of the lords of the Privy Council, charged them to dissolve their meeting, and defer their election till the pleasure of the King and Privy Council should be learned; and in the meantime required the present magistrates and council to remain in office, which command was obeyed. A second meeting, for the same purpose, took place on 7th October following, in virtue of a warrant from the Privy Council, when a singular scene occurred. Patrick Leslie, who had made himself so obnoxious to the King, had been removed from the office of provost, to which he had been elected, (supra p. 55) but he attended this meeting in his capacity of councillor. Sir Paull Menzies, however, objected to his being allowed to have any voice in the election, and 'causit reid the letter direct to the prouest, baillies, and counsall of this burghe, latelie in September last, be my lord Archbishop of Sainct Androus, primat, and lord High Chancellar of this kingdome, whairby his lordship, for the caussis mentioned in the said letter, willed and requyred thame, in his Majesties name, that they suld not make chuse of the said Patrik Leslie to be thair prouest, nor yit suffer him to haue voyce in thair counsall.' Leslie, however, persisted in asserting his right to vote in the election, and having got into his hands the 'litis,' and begun to mark the persone for whom he voted, he was interrupted by Sir Paull Menzies, Gilbert Menzeis of Pitfodels, and others, who followed him from place to place in the counsal hous, 'drawing the said Patrick's hand and the pen from the paper.' He, however, kept the 'litis for three or four hours, and wold not give thame out of his hands, till he sould sett to his nottes and woyce to the samen.' After a good deal of additional altercation, Leslie and his friends withdrew from the meeting, when the provost and his party proceeded with the election of the council, who elected Robert Johnston to be provost. This election, however, was voided by a decreet of the lords of Privy Council, dated the 20th January, 1636, on the ground that the election had not been made in that fair and peaceable manner, which became dutiful and good subjects, and had tended to foster factions and heart-burnings among the citizens. The election referred to in the text took place in consequence of the order of the lords of Privy Council, contained in the above decreet. (Council Register, vol. lii. pp. 217, 219, 235.)

the man and the electioun, not being of the old blood of the toun, bot the oy of ane baxter, and thairfoir wes set doun in the prouestis deas before his incuming (ane bakin pye) to sermon. This wes done diuerss tymes, bot he miskenit all and neuer querellit the samen.

Vpone the 11th of Februar the dolouris at 58s. the peice, is cryit doun, at the mercat cross of Edinbrugh, to 56s. The dolouris cryit doun.

In Februar thair wes brocht to Edinbrugh aucht of Gilliroyis folloueris, who war notorious lymmaris, and did gryte oppressioun in the landis of Corss, Cragiwar, and diuerss vther pairtis in this countrie, wnder pretext of seiking James Grant for killing of Patrik Ger.[a] Thir lounes war takin be the Steuartis of Atholl by persuasioun and devyss of the lairdis of Cragiwar and Corss, quhairof thair wes sevin hangit altogidder at the cross of Edinbrugh, and thair heidis cut af and set wp on examplarie places. The aucht man gat his lyf becauss it wes confessit he was drawin to this seruice aganist his will. Aucht of Gilliroyis folloueris takin, and had to Edinbrugh, be the Steuartis of Atholl. Sevin is hangit, the aucht gat his lyf.

Gilliroy seing this his men takin and hangit, went and brynt wp sum of the Steuartis houssis in Atholl, in recompenss of this iniurie, sie folio 41, quhair him self wes hangit. Gilliroy burns some of the Steuartis housis.

[a] Dr. John Forbes, professor of divinity in the King's College, succeeded his father, bishop Patrick Forbes, in the lands of Corse. In the diary or record of his 'spiritual exercises,' which this admirable and learned man wrote, he has noticed the depredations referred to in the text, in the following terms:—'In the yeare of God 1636, about the beginning of Februarie, some unrighteous and cruell limmers, Highland men, cam vnder silence of night, and violently spoyled the houses of some of my tenants in Corse, as they hade beene doeing to many others our neighbours, for a long space of tyme before, uncontrolled, and by some also encouradeged by connivence and correspondence, as is well knowen in Scotland. I hearing therof, and beholding how small appearance was of humane help, and remembring that in the tymes of my ancestors, since memorie of man, the lyke hade not been practised vpon that land, which God now hade given to me by heritable succession. I said the lyke indeed hath not been accoustomed against my forbeers, and it seemeth that theise robbers doe take advantage through disesteem of me, as being a schoolman, withdrawen from that pairt by reasoun of my spirituall calling, and being unaccustomed with such medlies; but I serve the same God whom my ancestors served, and I hope in his mercy, that he will shew me the way whereby theise robbers shall repent themselves of this wicked attempt. In the meanetyme they were spreading abroad menacing speeches, boasting to set for my person if I compleened to the secret counsell, or essayed any course against them, or refused to buy their peace, as many others had done by paying to them blackmail. I finding myself in this assault and difficultie, I trusted not in any other means which I used, but I did sett myself to seeke God, by humble prayers and supplications.' (Spiritual Exercises, fol. 48. MS. at Fintray House.)

All this while James Grant lyis quyet since Balnadallochis escaip out of the killogy, as ye hard befoir, folio 29.

James Grant killis sum nolt.

At last, vpone the fyft of Aprile he socht Thomas Grant, brother to Patrik Grant of Culquhahe, freindis to Balnadalloche, and missing the said Thomas at his duelling houss he slew sextein heid of his nolt wnder nicht. Thairefter thay fand the said Thomas Grant with his bastard brother lying in thair naikit bedis in ane freindis

He killis Thomas Grant and his brother.

houss neir by, whome the said James commandit shortlie to ryss, syne took them out of the houss and cruellie slew them both. It is

The ressone why.

said the said Thomas Grant had gottin money fra the Erll of Morray to lay out the said James or tak his lyf, for the quhilk it cost him his lyf, as said is.

James Grant cumis to the hangmanis houss of Strathbogie.

Efter the doing of this wickit deid the said James Grant cam with four and himself to the ground of Strathbogie, vpone the tent of Aprile, and be chance cam to the hangmanis houss and craveit sum meit, bot he knew not that it wes the hangmans houss of Strathbogie.

The hangman ran and tels the bally.

The hangman not knowing quhat they war, wes feirit, and suddantly went and told James Gordoun, baillie off Strathbogie, that sum

He raisis the ground.

brokin men wes cum to his houss; quhairvpone he raisis the ground

Perseuis the houss.

schortlie on horss and foot weill armit, and vmbesetis the hang-

James Grant defendis. Schootis Adam Rynd deid.

manis houss. James Grant keipis the dur, and schootis Adam Rynd deid who cam formost to the dur. The ballie seing him fall bydis abak and gois to counsall, quhilk the said James espying, fallis to shortlie and tirris the houss, and him self with his men stood within the walls thairof, and howsone the ballie began to per-

Defendis bravely.

sew the houss agane, thay schot out at them with hagbuttis so thik, that none durst come within schot of hagbut. Aluaies the ballie rydis about and his company, quhair ane callit Andersone

Another schot be James Grant, and ane hurt. The ballels resolution.

wes schot deid, and ane vther euile hurt, quhilk the ballie perceiving, resoluit he culd not keip this litill hous long, it being now about thrie efternone, bot of necessitie anes wold cum out, and thairfoir wold byd his out cuming. Bot fra the nicht fell James

James Grant with his brother escaipis.

Grant, with his brother Robert, wan cleir away for all the mvltitude of people wes waiting vpone him about the houss, bot his

Thrie is takin and had to Edinbrugh.

bastard sone and vther tua with him wes thair takin and had to the schiref of Abirdein, and sua furth fra shire to schire to Edinbrugh, quhair thay all thrie war hangit to the deith, sie moir, folio .

Ye hard, folio 37, how the Marques is wardit. He makis moyan to be removit out of the castell of Edinbrugh to remain in his ladeis lodging in the Cannoget, and to pas and repass about the samen within tua myllis, dureing the Kingis plesour. The Marquess removit out of the castell.

Letterfurie likuaies wes put to libertie out of the tolbuith vpone setting of cautioun to compeir befoir the lordis vpone the nixt citatioun, and Swankie, the Marques page, cam out with him self fra the castell, quhilk wes all done in Marche. Letterfurie put to libertie vpon setting of cautioun. The Marques page releivit.

In the moneth of Junij thairefter, the Lord Traquhair cam doun fra court, Heghe Thesaurer of Scotland, vpone the Erll of Mortoun's dimissioun. He brocht also letteris fra the King to the counsall, commending thame for administratioun of justice. He willit thame to set the Marquess, his page, and Letterfurie to libertie, simpliciter, since he wnderstood thame to be innocent; albeit Frendracht had gottin wrong besydis, and to tak cautioun of Letterfurie to compeir vpone the nixt citatioun, and with all that the counsall wold labour to sie all controuerseis submittit betuixt the Marquess and Frendracht, alsweill ciuill as criminall, to certane freindis; and in cace of vareans amongis thame, the King to elect out of the same freindis so mony as pleissit him, for satlyng of all materis be his Majesties owne sicht. The Lord Traquhair, thesaurer, cums fra court. Bringis letteris to the counsall. The contentis.

The counsall, at the Kingis command, settis the Marques, his page, and Letterfurie to frie libertie, and labouris to get all materis submittit, quhilk the Marques wold neuer heir of, bot disdanit the samen simpliciter. Howsoeuer it wes, Frendracht crost the Marques michtelly everie way, and as wes said, he obtenit ane decreit aganes him for 200,000 merkis for the skaith quhilk he had sustenit in thir troubles, and ane vther decreit on 100,000 pundis for spoleatioun of the teyndis of Drumblait and parochin thairof. Lik as the lordis decernit him to give Frendracht ane new tak of the saidis teyndis, quhairwith his sone the Lord Gordoun wes chargit, as efter do apeir, folio . The Marquess, Letterfurie, and his page set frie. No submissioun. Frendracht obtenis ane decreit aganis the Marquess. Another decreit.

Ye sie, folio 36, of the incuming of capitan Adame Gordoun. Sum of the rest of the brokin men, about the moneth of Junij, cam home also. Sum of the rest of the brokin men cums home.

The Marquess, fynding him self becum waiker and waiker, desyrit to be at home, and vpone the day of Junij wes careit from

The Marquess gois to Dundy.
Lodgis with his lady in Robert Morrayis houss.
His seiknes incressis.

his lodging in the Cannoget in ane wandbed within his chareot (his deir lady still in his company) to Dundy, and is lodgit in Robert Mvrrayis houss, a burges, and tavern of the toun, bot now his hour is com, forder he micht not go. His seiknes incressis moir and moir; resoluis to die; declairis his mynd befoir his ladie and sic freindis as he had thair in perfect maner; recommendis his soull to God, and vpone the thretteint of Junij depairtit this lyf a Romane Catholik, in the samen lodging, now being about the aige of thriescoir fourtein yeiris, to the gryt greif of his matchless freindis and loyall lady, who with hir deir husband had leivit togidder many yeiris, both in prosperitie and aduersitie.[a]

He depairtis this lyf.

[a] George, sixth Earl, and first Marquis of Huntly, succeeded his father in the year 1576, at which time he was under age. He was early engaged in the affair of 'the Spanish Blanks,' for which he was tried. In the year 1592, he had a feud with the 'bonnie Earl of Murray,' which ended in that nobleman's slaughter. In the following year he renewed his correspondence with Spain, and having been denounced rebel, he, in company with the Earl of Errol, rose in arms against the royal forces, and defeated them at Glenlivet, on 3d October, 1594. The exercise of his religion entailed on him much persecution, and compelled him to many very humiliating acts of prevarication. In 1588 he gave in his adherence to the Reformed Establishment, and subscribed the confession, but, in his intercepted letters to the Spanish King, he says that 'the whole had been extorted from him against his conscience.' (Tytler Hist. of Scot., vol. ix. p. 24.) In 1597 his lordship was again reconciled to the Kirk with much public solemnity, signed the confession of faith, and partook of the sacrament. (Miscellany of Sp. Club, vol. ii. pref. p. lx.) His fidelity, however, was wholly feigned, and did not last long. In 1607 Mr. George Gladstanes, minister at St. Andrews, was appointed, by the General Assembly, to remain with the Marquis of Huntly 'for ane quarter or ane half year, to the effect, be his travells and labours, the said noble lord and his family might be informit in the word of truth.' In the following year Mr. Gladstanes reported that he had stayed three days with the Marquis, apparently at the time when his lordship was engaged in the re-edification of his castle of Strathbogie, of whose grandeur the existing remains as yet afford ample proof, and having, among other things, enquired at his lordship why 'he resortit not to the preaching, at the ordinare tymes in paroche kirks,' he was informed that 'he could not well resort to the paroche kirk, partly in respect of the meine rank of such as were within the paroche, and pairtly in respect his lordship's predecessors were in use to haue ane chappell in their owne house, quhilk he wes myndit to prosecute now, seeing he was presently preparing his house of Strathbogie.' (Booke of the Universall Kirk of Scotland, pp. 505-6. Edin., 1839.) In 1606 he was accused of giving encouragement to the Roman Catholics, and thereby occasioning a great defection from the reformed opinions, and in 1608 he was excommunicated. In 1616 he was absolved from excommunication by the Archbishop of Canterbury, and afterwards by the General Assembly, which met at Aberdeen in that year. There is, however, no doubt that, during his whole life, he was a warm adherent of the ancient religion, and it appears from the text, that he made an open profession of his faith on

This michtie Marques wes of ane gryte spirit, for in time of trubles he wes of invincibill curage, and boldlie bure down all his enemeis trivmphantlie. He wes neuer inclynit to warr nor trubbill him self, bot by the pryde and insolencie of his kin wes diuerss tymes drawin in trubbill, quhilk he boor throw valiantlie. He lovit not to be in the lawis contending aganist any man, bot lovit rest and quyetness with all his hairt; and in tyme of peace he leivit moderatlie and temperatlie in his dyet, and fullie set to building and planting of all curiouss devysis. A weill set nichtbour in his merchis, disposit rather to give nor tak ane foot of ground wrangouslie. He wes hard say he neuer drew suord in his awin querrell. In his youth a prodigall spender; in his elder aige moir wyss and worldlie, yit neuer comptit for cost in materis of credet and honour. A gryt housholder, a terror to his enemeis, whome with his prydfull kin he euer held wnder gryte feir, subiectoun, and obedienss. In all his barganes just and efauld, and neuer hard for his trew debt. He wes michtellie invyit by the kirk for his religioun, and by vtheris for his grytness, and had thairby muche trouble. His maister King James lovit him deirlie, and he wes a good and loyall subiect vnto him in- His nobill pairtis.

his deathbed. It is stated that his spiritual attendant on this occasion was William Christie, called the junior, a member of the Society of Jesus, who appears to have resided in the family for some time previous to this event. (Collections for the Biog. of Scotch, English, and Irish Members of the Soc. of Jesus, by Dr. Oliver, p. 18. Lond., 1845.)

Notwithstanding, however, of the turbulence which marked his early years, of the troubles in which his religious profession involved him, and of the affliction and losses which resulted to him from the woful 'fire of Frendraught,' he exhibited many qualities, which would justify the panegyric pronounced on him in the text, and which harmonize very much with the character of his lordship, which a writer, more discriminating than our author, has recorded. (Hist. of Earls of Suth., pp. 479, 480.) His lordship's energy in more peaceful pursuits than the above are thus alluded to in a MS. history of the Family, dated in 1731:—'George, the first Marques of Huntly, after the battle of Glenlivat, built and repaired the house of Strathbogie, the stone bridge there, house in Badenach, built the house of Aboyne, and ditched round the same, the house of Deeside called Hunthall, planted trees, gardens, &c. He built the house of Plewlands in Murray, repaired his own house in Elgin and Bog of Gight, and planted red deer there, ponds and canals in gardens with pikes and gedds. He was the first of the family who bought lands; purchased Dunkinty and Plewlands, excambed Dunkinty for Strathawen. He bought Auchindown, Innercharach, and Blackwater; lands in Auchterless called Knockleith, and a house in Old Aberdeen; coft Melgin in Angus; he coft in Cromar, and built Whitehouse and some lands of Glengarn.' (Quoted in Notes of the late Mr. Wm. Rose.)

during the Kings liftyme, bot now at last in his letter dayis, by meinis of Frendracht, he is so persecute by the lawis, (whiche he ay studeit to hold in dew reuerence) that he is compellit to trauell without pitie so often to Edinbrugh, and now endis his dayis out of his owne houss, without tryell of the wofull fyre of Frendracht, quhilk doubtless wes ane help to his death also; the Lord Gordoun his eldest sone, his lady and tuo sones, with his dochter Lady Ann being at this tyme in France.

His corpis ar liftit, and brocht to the cheppell of Strathbogie.

The Marquess freindis convenis in mvrning weid, and vpone the 25th of Junij liftis his corpis fra Dundy. His kist coverit with ane blak taffata, and in ane horss litter is brocht to the cheppell of Strathbogy, his lady still with the corpis whill he wes brocht thair; syne with ane wofull hairt sho went to the Bog.

His ladie gois to the Bog.

Letterfurie chargit befoir the justice.

Frendracht heiring of the Marquess death, incontinent charges Letterfurie to compeir befoir the justice the 29th of July to wnderly the law. The gentilman rode over befoir the day, meinit him self to the lordis of counsall who desertit that dyet, and ordanit the justice to tak cautioun for his compeirans vpone 15 dayis citatioun. Thus Letterfurie returnit home saif and sound.

Setis cautioun and cumis home.

The Marquess corpis brocht fra Strathbogy to Elgyn.

Vpone Frydday the 26th of August sum freindis liftis the Marquess corpis vpon litter fra the cheppell of Strathbogie, wes convoyit with sum freindis to the kirk of Belly, and vpone the morne at nicht is lykuaies careit thairfra to his awin lodging of Elgyne, quhair they war kepit; and vpone the 30th day of August vpone the nicht his corpis wes liftit thairfra, haueing abone his kist ane ritche mort clothe of blak veluot, quhairin wes wrocht tua white crossis. He had torche lichtis in gryte number careit be freindis and gentillmen. The Marques sone callit Adam wes at his heid, the Erll of Morry on the right spaik, the Erll of Seafort on the left spaik, the Erll of Sudderland on the thrid spaik, and Schir Robert Gordoun on the fourt spaik. Besyds thir nobles many barronis and gentilmen wes heir, haueing aboue 300 licht torches at the lifting. He is careit to the eist port, doun the subchantouris wynd to the south kirk styll of the colledge kirk, in at the south kirk dur, and bureit in his awin Iyll with mvche mvrning and lamentatioun. The lyk forme of buriall with torche licht wes not sein heir thir mony dayis befoir.

He is liftit with torche licht, and bureit.

Gilliroy with fyve vther lymmaris war takin and had to Edinbrugh, and all hangit to the deith vpone the [29th] day of July.[a] — Gilliroy and vther fyve hangit.

Vpone the 23rd of Junii Alexr Dumbar of Kilboyak, and his complices, slew Robert and Niniane Dunbaris, and mutillat James Dumbar all thrie brethren, within Foress, and wan away but reparatioun. It is said that thair sister with ane trein stovp slew ane callit Merser, wyf to Alexr Dumbar of Brako, who wes at the slauchter of hir bretheren, and sho and thay war all bureit togidder in the kirk of Avass. Thir killit gentilmen war sones to vmquhill Alexr Dumbar of Hemprigis, and all freindis togidder. — Robert and Ninian Dumbaris killit, another hurt. — Alexr Dumbaris wyf killit.

Vpone the 16th of September the rix dolloris cryit doun in Edinbrugh fra 56s. to 54s., and the dog dolloris fra 46s to xliijs. iiijd.; bot ar cryit wp agane in anno 1645, sie folio — Rix dolleris cryit doun.

Vpone the 17th of September Johne Ross for ane licht caus mvrdreist ane chepman callit Dauid Leg, vpone the stane cross hill at Elgyne. He wes takin and heidit, and his richt hand set on vpone ane stob in the same place quhair he wes slayne. — Johne Ross heidit for mvrdering of Dauid Leg.

It is said that howsone capiten Adam Gordoun hard of the Marquess death he went out of the kingdome. — Capitan Adame Gordoun gois out of the kingdome.

At Michaelmes schir Alexr Irving of Drum contynewit schiref principall of Abirdein for ane yeir, and Mr. William Dauidsoun purchesit ane commissioun fra the counsall to be schiref deput thairof during his liftyme, and the court fensit in his name with the principall schirefis, quhairof the lyk wes neuer sein heir. — The laird Drum contynewit schiref. — Mr. William Dauidsone schiref deput be commissioun.

Thomas Fraser of Strechin contynewit schiref of Innerniss for ane yeir. — Schiref of Innerniss.

[a] Patrick M'Gregour, alias Gilroy, was tried before the Justiciary deputes, and Archibald, Lord Lorne, as their assessor, on 27th July, 1636. The 'byke of infamous lymmers,' who were tried with him, consisted of 'John Forbes, son of umquhile James Forbes in Strathdone, George Grant, sone naturall to James Grant the notorious rebell, callit of Carroun, Allaster Forbes, brother to the said John Forbes, John M'Colme, alias Stewart, Callum Forbes, John M'Gregor M'Eane, Gillespik M'Farlane, Allaster M'Inneir, Ewin M'Gregor, alias Accawisch.' They were convicted on their own judicial confession, emitted in the Gaelic tongue, and interpreted to the jury by James Stewart of Ardvoirlich. They were all sentenced to be hanged, but a certain distinction was conferred on Gilroy and John Forbes, who were ordered 'to be hangit vpone ane gibbet quhill they be deid, quhilk gibbet sall be advancit ane grit degrie heicher nor the gibbet quhairupone the rest sall suffer.' The trial is printed in the Appendix, 'Gilderoy.'

The Marquess of Huntly cumis fra France home.

In October, George, the now Marquess of Huntlie, his Lady, tua sonis and Lady Ann, and thair seruandis, fra France cam to Ingland, and thairfra to Scotland in royall maner. Thay left behind tham tuo twin children borne of his Lady to him, and vpon the 23rd of Junij 1637, cam to Strathbogy.

The Erll of Errol depairtis this lyf.

In the moneth of December, Williame Erll of Erroll depairtit this lyf in the place of Erroll, and his ladie shortlie followit, leaving ane onlie barne callit Gilbert, with ane distressit estait.

ANNO 1637.

Olipher Spenss slayne.

VPONE the xiij of Marche Alex^{r} Gordoun of Dunkintie rashlie slew be ane schot Olipher Spenss, without ony just caus. He deboshit his estait and past out of the kingdome.

The laird of Grant wardit.

Vpone the day of Aprile the laird of Grant, wardit in Edinbrugh for not following the Clangrigour, is thairefter put to libertie, and vpone the foirsaid day depairtit this lyf in Edinbrugh, in his awin lodging.

Deis in Edinbrugh.

Ane air yeir.

Vpone the sext of July thair wes new beir meill and beir stray sold in Elgyne, quhilk wes very air in the yeir.

The Erll of Morray welcums home the Marquess.

Vpone the 19th of July the Erll of Morray cam fra Dernvay to the Bog, and welcumd hame his good brother (then in the Bog), his Lady and barnes from France. Thay war blyth and mirrie that nicht with the old Lady Marchioness, and vpone the morne the Erll tuke his leive and returnit home to Dernvay.

Sum nobillis takis offenss at the Kingis doingis and drawis the most pairt of all the rest to thair opinion.

Ye haue befoir, folio 21, of oure Parliament. It is trew sum of oure nobles sic as the Erll of Rothass, the Erll of Cassalis, the Erll of Glencarne, the Erll of Traquhair, the Lord Lovdoun, the LordLyndsay, the Lord Balmyrrinoch, the Lord Covper, the Lord of Lorne, not but advyss of the Marquess of Hammiltoun, and diuerss vtheris took offens at his Majesties zealous and godly government of this land, both in churche and pollicie. And first thay call to mynd the gryt danger the Lord Balmirrinocht wes of hes lyf, socht ernestlie

His godlie government invyit.

Thair forgit ressones, sie folio 426.

by the bischopis efter he wes most justlie convict for his tressonabill writtinges, altho the King most graciouslie remittit him. Yit this point, touching the bischopis, thay culd not forget, feiring thay war counselling the King to draw in the kirklandis to the croun, and to mak wp abbotis and prioris agane, to the strenthning of the King and overthrow of the nobilitie, who had the most pairt of thair leiving of kirk landis. 2. Thay had gryt feir who war lordis of erectionis at his Majesteis generall revocatioun in his first Parliament ordiner to Kingis to do fra tym to tym, albeit thay receavit no preiudice thairby. 3. For granting in the sam Parliament ane comisioun of surranderis of superioriteis and teyndis groundit for helping of the ministrie and releif of the laitie, leiving yeirlie wnder the bondage of the lordis of erectionis or laick patronis. Of this act of Parliament thay war wnder gryt feir, albeit his Majesties intentioun wes singularly good and muche to be praisit. 4. It pleissit his Majestie for his owne ressones not to confer honoris vpon sum persones who cravit the samen, sic as ane barron to be maid ane lord, and ane lord ane erll, or sum to be maid knightis, whairat there wes muche grudging in thair hairtis, and stryves to clip his Majesteis wyngis in royall government both in stait and kirk, and craftellie and quyetlie tryis the hairtis of the nobles barronis, churche, and gentrie of England how thay war set, and fand them of the same humour and miscontentment that them selfis wes of, at the leist a good number of all estaitis. Whairvpone follouit ane clandestyne band, drawin wp and subscrivit secretly betuixt the malcontentis, or rather malignantis of Scotland and England, that eche one sould concur and assist vtheris whill thay gat thair willis both in churche and policie, and to bring both kingdomes wnder ane reformit religion, and to that effect to root out the bischopis of bothe kingdomes cropt and root, quhairby his Majestie sould loiss ane of his thrie estaitis; and likuayes that thay sould draw the King to dispenss with diuerss poyntis of his royall prerogatiue in sic degrie as he sould not haue arbitrarie government as all his predicessouris euer haid, conforme to the establishit lawis of both kingdomes; as in the said clandestyne band at grytir lenth proportis, as wes said.

Thair preposterous feir.

Thair neidless grudging.

Thair resolution aganis the King.

Thay try Ingland.

Ane clandestyn band.

Aganis the King.

Reformatioun of religioun.

To overthrow the bischopis and the King both.

A traitterouss plot.

The King and the bischopis ar still ignorant of this tressonabill

The King knowis nothing of this tressounable band.

He assistis the bischopis touching the service bookis.

Thay ar mistakin.

The nobillis lyis quyet.

Perturbatioun at the comunioun in Galloway.

The bischop wardis the offendar, and fynis him.

The lord of Lorne is offendit.

He getis ane lie at counsall.

The beginning of sorrow.

The counsall is offendit.

Lorne convenis sum nobillis and puritane ministeris.

Mr. Alexander Hendersone, Mr. Dauid Dikson, Mr. Androw Cant, ringleidaris.

plot and gois on; the prelatis getting thair willis fra the King, bakkit with his auchtoritie by meinis of the archibischop of Canterburie who wes oft with the King, stoutlie resolving what the King did command none durst disobey; bot heirin war thay michtellie deceavit, as heirefter do appeir. The clandestyne band past, our nobles lay quyet whill thay fand occasioun to brak the iyss, and begin the bargane as wes concludit. Now it fell out, that at the paroche kirk of , within the diocie of Galloway, the comunioun wes given vpone ane Sonday to the people on thair kneis, quhair Gordoun, ane of the tutouris to the Viscount of Kenmvre, sumtyme laird of Lochinvar, hapnit to be, and boldlie cryit out saying it wes plane idolatrie to tak the comunioun kneilling (set out of purpoiss be the Lord of Lorne, another of this Viscountis tutouris as wes said). The minister and people war astoneishit at this speichis. Aluayis the bischop of Galloway named Mr. Thomas Sonserf, be virtue of the book of cannonis causit tak the gentilman, putis him to tryell, and for his fault wairdis and confynis him within the brughe of Montrose be the space of six weikis. At last the Lord of Lorne satled the mater, and causit offer the bischop 500 merkis of fyne, not luiking that he sould tak wp the same, bot the bischop but ceremony took wp the moneyis, quhairat the Lord of Lorne took offens. And thairefter, being both sitting at the counsall, they fell in sum wordis about the vptaking of this fyne, quhair the bischop in fair termes gave him the lie. Lorne said this lie wes givin to the lordis not to him, and beheld him, bot this maid the mater worss and worss, and wes the begining of thair overthrow plottit befoir. The lordis of counsall wes heichlie offendit at this bischopis miscareage in thair presens also, The Lord of Lorne convenis the foirsaidis Erllis of Rothass, Cassalis, Glencarne, with the Erll of Traquhair, ane gryt enemy to the bischopis.

The Lordis Lyndsay, Lovdoun, Balmyrrinoch, Couper, and diuerss vtheris, of whome the Marquess of Hammiltoun wes one, togidder with ane Meingzie of miscontentit puritanes, of whome Mr. Alex^{r} Henrysoun, minister at Leucharis, Mr. Dauid Diksone, minister at Irving, and Mr. Androw Cant, minister at Petsligo, war the ringleidaris. Thay had ane privie

meiting, and beginis to regrait thair dangerous estait with the pryd and avarice of the prelatis, seiking to over rule the haill kingdome, for the archibischop of Sanctandrois wes Heiche Chancelair of Scotland, his sone President of the College of Justice; that the rest of the bischopis war lordis of counsall, lordis of chekker, lordis of high commissioun, and now laitlie purchessing the book of cannonis, that ilk bischop suld be judge to all disorderis within his diocie. Besydis all this, thair inbringing of novationis within the churche, sic as rotchetis worne be prelatis in tyme of sarmon at diuerss churches, the buke of ordinatioun, the book of comoun prayer, alreddie put in practeiss in diuerss countreis, and buke of cannonis, without consent of ane Generall Assembly, all this is wrocht. Attour thay ar of intollerable grediness, seiking to reduce noblemenis richtis vpone slicht ressonis, with a number of sic faultis, laying the blame heirof altogidder vpone the King for giveing thame sic way. And efter muche ressoning thay conclude to sie a reformatioun schortlie, and to that effect drawis in a gryte number of the nobilitie quyetlie to thair opinioun, and onlie baid the tyme to begin the bargane, as wes concludit in the clandestyne band, quhilk schortlie fell out thus.

Thay go to consultatioun aganis the bischopis.

Thay invy their greatness.

Thay hait thair novationis.

Mony complaints.

Thay blame the King vniustlie.

Thay resolue a reformatioun.

Thay mak thair freindschip.

Vpone Sonday, the day of July, doctor Hanna began to reid the buke of common prayer in Sanct Geillis Churche of Edinbrugh. The nobillis being foirsein of this novaltie, neuer hard befoir sen the reformatioun in Edinbrugh, devyses a number of rascall serving wemen to throw stoollis at the reidar and perturb the kirk, quhilk they did vehementlie. The maiestratis being in the churche (no doubt vpone the counsall of this disorder) commandit the officiaris to hurll thir rascallis to the kirk dur and to lok thame out. Bot then thay becam moir furious and mad (as thay war directit) crying and schouting, saying popery wes now brocht in amongis them, dang at the durris with stanes, and brak doun the glassin wyndois with sic noyss that thair wes no moir reiding. The bischop of Edinbrugh, named Mr. Dauid Lyndsay, cuming to preiche, heiring of this tumvlt cam neuertheles to Sanct Geillis kirk and teichit, but inquietatioun. Sermon endit and he going out of the kirk dur, these rascall wemen cryit out aganist bischopis, reddie to stane him to the death, bot being a corpulent man wes

Sanct Geillis kirk perturbit be devyss of the nobillis.

The maner how, at the service book.

The bischop of Edinbrugh preichis.

Efter sermon he is evill vsit.

haistellie put in the Erll of Roxbrughe coache, standing hard besyd, and wes careit to his lodging; the samen rascallis still following him and throwing stones at the coache, so that he escaipit narrowlie with his lyf. The like perturbatioun, the samen Sonday, wes at the Gray Freir kirk. Heir you may sie thay begin at religioun as the ground of thair querrell, quhairas thair intentioun is onlie bendit aganis the Kingis majestie and his royall prerogatiue, and conforme to thair clandestyne band beginis the disorder in Scotland.

The Grayfreir kirk perturbit.

The bargan begyn for religion, yit bendit aganis the King.

The prouest and balleis of Edinbrugh to schow thair diligens, vpone the morne causis waird sum of thir wemen, and by proclamatioun forbidis the like perturbationis, bot no moir pvnishment followit, albeit his Majestie wreit doun to the saidis maiestrates for trying of this wemen who wes thair authoris, and to pvnish them condignlie, bet thay war set to libertie but ony forder.

The prouest and balleis dissimulatioun in this businesse.

Efter this Sondayis wark, the haill kirk durris of Edinbrugh wes lokkit, and no moir preiching hard. The zealous puritanis flokit ilk Sonday to heir deuotioun in Fyff, syne returnit to thair houssis, whill thay gat preiching at home. Sie folio 48, folio 50, the subscriving of the covenant folio 169, folio 178, folio 319, folio 513, folio 530, folio 80. Thay send ane covenant throw the countrie to be subscriuit, as ye haue, folio 50.

No preiching in Edinbrugh.

The people gois to Fyf.

The counsall then sitting in Edinbrugh removes doun to the Abay in respect of thir troubles, and wreittis wp all to his Majestie, whiche wes done heir.

The counsall removis, and wreitis to the King.

The lady Rothimay wardit be the laird of Frendracht, as ye haue, folio 34, is now set at libertie, and cums home to hir owne place.

The lady Rothimay set to libertie.

Mr. Androw Ramsay, and Mr. Henrie Rollok, ministeris at Edinbrugh, wes accusit in September for not bying and vseing of the service bukes at the Kingis command. Thay ansuerit it wes contrair to the ordouris of our kirk and thair owne consciences, and so wold not vse them.

Ministeris accusit for not bying of seruice bulkis.

Thair ansuer.

Follouit ane vther counsall day, quhair thair convenit about 100 ministeris weill bakit with nobles and gentlemen, who refuisit the vseing of thir seruice bookis as contrair to the constitutionis of the kirk, and worschip of God, quhairvpon thay offerit publict disputatioun, and so departit.

Disputatioun offerit aganis them, by ministeris befoir the counsall weill bakit.

Vpone the first Tuysday of October the provinciall assemblie sat

doun in Morray. The bischop desyrit the ministrie to by and vse the seruice book, conforme to the Kingis command, as all the rest of the bischopis had done; bot sum coft, sum took to be advysit, and sum refuisit. The bischopis had causit imprint thir bookis, and payit for the samen, and sould haue gottin fra ilk minister four pundis for the peice.

The provinciall assemblie in Morray at Elgyn.
The bischop vrgis the ministrie to by thir seruice books.
Thair answer.

At Mihaelmes Schir Johne Hay, lord of Register, vpone the Kingis warrand, wes chosin prouest of Edinbrugh in place of Dauid Aikinheid laitlie deceissit. The King thairefter writtis doun ane letter to him, and balleis and counsall of Edinbrugh, to imbrace thir seruice bookis, bot he narrowlie escaipit with his lyf, and forst to go duell in Leith.

Schir Johne Hay maid prouest of Edinbrugh.
He is in hasard.
Duellis in Leith.

Schir Alex[r] Irving of Drum contynewit schiref principall of Abirdein be commissioun for ane yeir, and Schir Johne M[c]Kenzie of Tarbet schiref of Innerniss.

Schirreffis of Abirdein and Innerniss.

The King, heiring of thir disorderis in Edinbrugh, send doun in October charges commanding the lordis of counsall and sessioun furthwith to remove out of Edinbrugh, and to sit doun in Linlithgow the first of November, for holding sessioun to the Kingis leigis, quhilk wes not done to the hyndering of justice, yit ane counsall day wes keipit in Linlithgow in November; syne returnit to Holyrudehous as ye haue, folio 47.

The King removis the counsall and session fra Edinbrugh.
No sessioun.

Vpone the 3rd of October, in the efternone, thair fell out in Morray ane cruell weit dynging on nicht and day, but lightnning wp whill the 13th of October; wateris and burnes flowit wp over bank over bray, corne milnes and milne houssis waschin doun; houssis, killis, cottis, fauldis quhairin beistis war keipit all distroyit. The cornes weill stakit began to mothe and rot whill they war cassin over agane; lamentabill to sie, and quhairof the like wes neuer sein befoir: doubtles a prognostik of gryte troubles within this land.

Ane tempestuous rayne in Morray.
The long continuance, and gryt skaith.
It prognostiks gryt trubles in this land.

About this same tyme, thair wes four schippis lying at anchor within the harberie of Abirdein, in one of whiche schippis Maior Ker and Capiten Lumsden had a number of soldiouris, bot, throw ane great speat of the water of Die, occasioned be the like extraordinar rayne, thir haill four schippis brak louss, for nather tow nor anker culd hald them, and wes drivin out at the water mouth, vpone the nicht, throw the violens and speat of the water, and by ane

Four schipis drivin out of the harberie of Abirdein.
Soldiouris neir drounit in ane schip.

south est wynd wes driven to the north schoir, quhair thir schippis wes miserablie bladit with lekis by striking on the sandis. The soldiouris sleiping cairleslie in the bottom of the schip vpone hether wes all in swoum, throw the water [that] cam in at the hollis and lekis of the schip, to thair gryte amasement, feir, and dreddour. Aluaies thay gat wp ilk man with horribill crying and schouting; sum escaipit, vther sum pitifullie perishit and drount. About the number of fourscoir and tuelf soldieris wes wanting, drount, and gat away. This rayne to contynew so long togidder wes neuir sein in our aige, and cam for no good token as efter may be hard, sie folio 48.

Thair cauld walkning.

A foir warning of sorrow.

Ane prodigious token.

Ane vther at folio 48.

In this moneth of October, Johne Toshea, seruitour to the laird of Frendracht, of whome ye hard sum what befoir, folio , willinglie cums to Strathbogie and makis sum revelationis to the Marquess anent the fyre of Frendracht, quhairof he tuke notice, keipit him and gave 12s. dayly to sustene him self vpone in [the] oistleris besyde the place.

John Toshea cumis to the Marquess, and makis reuelatioun.

About this tyme the Marques cam to Elgyne and viseit the Erll of Morray and his lady.

The Marquess visitis the Erll of Morray and his lady.

Ye hard, folio 46, of the removing of counsall and sessioun to Linlithgow. The lordis hes ane counsall day in November, syne removit bak agane to the Abay and held ane vther counsall day for braking wp ane packet send to thame be the King. Bot scarcelie wes the lordis weill sittin doun when there cam multitoodis of puritanes, ministeris, gentrie, and commonis. The counsall is offendit; sendis out ane maisser to charge thame to depairt, bot thay proudlie disobeyit, quhairvpone the counsall left the packet onbrokin wp, and suddantlie went home to thair houssis. And lykuaies the ministeris and vtheris at thair removeing removed also. Sie heirefter on the vther syde.

The lordis cums bak fra Linlithgow to the Abbay.

Thay hold counsall.

Multitudis of people cums to the cloiss.

Thay ar commandit to depairt.

Thay disobey.

The counsall rysis wp on brokin wp the Kingis packet.

In this moneth of November, Mr. Walter Whitefurde bischop of Brechin, vpone ane Sonday within the kirk of Brechin, vseing this English service as he had often tymes done abefoir, but impediment in that kirk, the people gat wp in ane mad humour detesting this sort of worschip, and perseuit him so scharplie that hardlie he escaipit out of there handis on slayne, and forsit for saiftie of his lyff to leave his bishoprik and flie the kingdome. So sone spred the distructioun of thir bookis and bischopis also, as ye may reid, folio 49.

The bischop of Brechin evill drest.

He is forsit at last to leave the kingdome.

A foirwarning of sorrow. out or cum in thairat; and at a low water ane man micht haue past vpon this sandy bed, from the north schoir to the bulvark, dry foot.

The people are astoneisd. It amasit, effrayit, and feired the haill people of Abirdene, brughe

Thay fast and pray, weip and murne. and land. Thay fell too with fasting, praying, preiching, mvrning and weiping, day and nicht. Then thay went out with spaidis,

Thay labor to cast doun this bar, bot availis nocht. schoollis, mattokis, mellis, in gryte numberis man and woman, young and old, at ane low water, to cast doun this dreidfull bar, bot all for nocht, for alss fast as thay cast doun at ane low water, it gatherit agane alss fast at ane full sea. Then the people gave it over and

The people becums hartles. becam hartles, thinking our sea tred and salmound fishing wes liklie to be gone, and noble Abirdene brocht to vtter decay and dis-

Thay aduerteiss the cost syde. tructioun; and haistellie aduertesit the haill cost syd, south and northe, of this feirfull accident, that none of thair schippis nor crearis suld approche this cassin harberie. Bot behold whill as thay

The Lord allone washis away this bar. ar at the vtmost poynt of disperatioun, the Lord, of his gryt mercy, but help of mortall man, removit and sweipit clein away this feir-

The harberie is as befoir. full bar out at the ground, and maid the water mouth to keip it awin courss as it wes befoir, within a veray few dayes, to the gryt

Abirdein is blythe. joy and comfort of the brughe of Abirdein, and countrie people round about.

Yit ane other prodigious token. Bot this bar cam not for nocht, bot wes ane token with the rayne befoir rehersit of gryte trubbillis and vexationis to fall vpone both Abirdeinis.

Heighe wyndis. And it is to be markit, that as thir war feirfull and dreadfull signes be water, richt sua thar wes hard many heiche and monstruous wyndis all this yeir, no good token more nor the rest.

The King commandit the sessioun to sit at Striviling. The King commandit the sessioun to sit doun at Striviling (seing thay could not be weill eisit at Linlithgow) for administratioun of justice, bot litle done.

The laird Drum schiref of Abirdein. Schir Alexander Irving of Drum contynewit schiref principall of

The laird Tarbet schiref off Innerniss. Abirdein be comissioun for ane yeir, and Schir Johne M^c^Kengzie of Tarbet maid schiref principall of Innerniss, to indure for ane yeir; both thair commissionis cam not hame whill December.

Williame Erll of Erroll deceissis. In this moneth of December Williame Erll of Erroll depairted this lyf, leaving ane sone behind him called Gilbert; his ladie fol-

His ladie also deceissis. louit him schortlie, bot he left ane sore distressit estait, over-burdenit with debt.

Keipis not thair promeiss, bot ratefeis the proclamatioun.

trair to there promeiss, ratefeit and approvit the Kinges proclamatioun befoir expremit, and subscrivit thair ratificatioun with there owne handis, except onlie the Kingis Aduocat, who refusit to subscrive the samen, saying thay wnderstood not weill what thay war doing, to declair the nobilitie and bodie of the land traittoris in suche a troublesum tyme. Now, whill as the counsall is at this bussines, the Erll of Rothass haueing quyetlie stayit behind the rest in the toun, and heiring sum what of the counsallis proceidinges, he and vtheris who wes with him, by monyest voites choosis Arthour Erskyne, sone to the Erll of Mar, and Morray of Pomaiss, to go in to the counsall and to mak ane declinatour aganes the bischopis, saying thay suld not be judges in the commoun causs, quhilk thay did, and craved ane act vpone there declinatour wnder the clerkis hand, quhilk wes refusit, and therefoir thay took instrumentis in the handis of tua notaris hard besyde, and brocht with them.

The Erll of Rothass and sum otheris sendis to the counsall, to mak ane declinator aganis the bischopis.

The foirsaid proclamatioun maid at Edinbrugh.

Vpone the morne, being the 21st Februar, the cross of Edinbrugh wes coverit in stait, where the foirsaid proclamatioun wes also proclamed, bot sum noble men and commissioneris for the ministrie being convenit in multitudis protestit aganis this proclamatioun as befoir, and tuke instrumentis in the handis of thrie notaris. Thairefter the nobilitie, ministrie, and thair commissioneris remanit and duelt in Edinbrugh, quhair thay had thair meitingis ordinarlie at thair plesour, quhairat the bischopis war heichlie offendit bot culd not help them selfis. Sie moir of thame, folio .

Protestations aganis the samen, and instrumentis takin.

The nobles hes thair meitingis at Edinbrugh. The bischopis ar offendt.

The sessioun sitis in Striviling.

The sessioun sitis still in Striviling, bot nothing ado in thir troublesum tymes.

Counsallouris changeit.

It wes reportit that the bischop of Argile, the Deane of Edinbrugh, the Constabull of Dundie, and schir Thomas Thomsone, war changit af of the secreit counsall, and the Lord Doun and vtheris put in thair roumes.

Seruice bookis of Ross distroyit be barnes houndit out be covenanteris.

The bischop of Ross haueing vsit thir seruice bookis peciablie within the channonrie kirk of Ross ilk Sabboth day be the space of tua yeires, he, vpone the 11th day of Marche, being Sonday, causit (as his custom wes) lay doun ane seruice book vpone the reidaris deass, and vpone sum other gentlemenis deassis besyde who vsit the samen, about the ringing of the first bell to the preiching. Bot

befoir the henmest bell wes rvng, certane scolleris cam pertlie in to the kirk and took wp thir haill seruice bookis, and careit them doun to the Ness with ane coill of fyre, thair to haue brynt them altogidder. Bot there fell out sic ane suddant schour, that befoir thay culd wyn to the Ness the coill wes drounit out. The scolleris seing this, thay rave thame all in blaidis dispytfullie, and kest them in the sea. The bischop heiring of this bussines miskenis all, wyslie cumis to churche and preichis wanting service bookis. He wes not longsum bot schort at sermon, and thairefter haistellie gois to horss and spak with the bischop of Morray, syne spak with the Marques of Huntlie, and privatlie disagyssit he rode south, and to the King gois he directlie; ane veray bussie man thocht to be in bringing in thir seruice bookis, and thairfoir durst not for feir of his lyf returne to Scotland agane, sie more, folio .

Nota.

The fyre went out.

The bischop of Ross preichis, and miskenis all.

He gois to horss, speikis with the bischop of Morray and Marquess of Huntlie, and gois to the King.

Now the nobles and vtheris opposeit to thir seruice bookis began to wreit, and send commissioneris to the haill burrowis of Scotland, craveing there concurrens to resist thir seruice bookis; and likuaies send throw the haill kingdome for this effect. Amongst the rest the laird Dun, the laird Morphy, the laird Leyis, and Carnegie of cam to thir north pairtis, and to New Abirdein, as commissioneris for the said purpoiss; bot thay cam not speid, bot wes rejectit be Abirdein constantly abyding be the King, whiche turnit to thair gryte schame and wrak by all the brughis of Scotland, as ye may heir, folio . Thay alledgit the King gave no sic command to subscrive any covenant thay craveit.[a]

The nobles sendis throw brugh and land commissioneris with ane covenant.

Thay cum to Abirdein.

Abirdein refuisis, as done but auchtoritie, to subscryve any covenant.

Thir nobles send also the Erll of Sutherland, the lord Lovat, the lord Rea, and lord Johne, oy to this now Erll of Caithnes elder, as there commissioneris, with the laird of Balnagovne, haueing also in there company Mr. James Baird, advocat in Edinbrugh, with Mr. Androw Cant, minister at Pitsligo, with diuerss vtheris. Thay cam

Commissioneris, but command of the King, getis this covenant subscrivit at Innerniss, Forress, Narne, Caithness, Sutherland, Ross, Cromartie, Narne.

[a] 4th July, 1638. The magistrates and council, 'all in ane voice, plainelie and absolutelie refused to subscrywe' the covenant presented to them, 'in regaird the saids commissioneris ar not come, authorized, nor cled with commissioun from his Majestie, nor lords of privie counsell, to exact any such subscriptiounes, as lyikwayes in regaird of his Majesties proclamatioun, latelie published at the mercat croce of this burghe, wpoun the nynt day of Marche instant, prohibiting any such meittingis, combinatiounes, or bands amongst his Majesties subjects.' (Coun. Reg., vol. lii. p. 384.)

to Innerniss vpone the 25th of Aprile, and convenit the haill toune-schip, to whome wes producit ane Confessioun of faith, and ane covenant to be subscrivit be thame, and to not wp thair names who refuisit to subscrive; bot the haill toune, except Mr. Williame Clogie, minister at Innerniss, and sum few otheris, willinglie subscrivit. Then thay left Innerniss, and cam to Forress vpone the 28th of Aprile, quhair the haill ministrie of that Presbitrie subscrivit, except Mr. George Cuming, persone of Dollass. Richt sua Caithness, Sutherland, Ross, Cromartie, Narne, had for the most pairt subscrivit, be industrie of the foirnamed five commissioneris. Thay cam to Elgyne vpone the 30th day of Aprile. The haill people wes convenit, Mr. Androw Cant stood wp in the reidaris deass and maid sum litle speiche; thairefter prouest, balleis, counsall, and commvnitie altogidder subscrivit this covenant, veray few refuseing, except Mr. John Gordoun, minister at Elgin, who did not subscrive. Thir commissioneris removit from Elgin vpone the first day of Maij, and as they had gottin obedience, so commissioneris wes direct out be the nobility throw all the kingdome, and gat this covenant subscrivit, few refuseing except Abirdene and the lord Marquess of Huntlie, sie how thay subscrivit, folio 54.

Sie the tenor of this covenant, writtin folio 319.

Elgin subscrives.

The Marquess of Huntlie and vtheris wold not subscrive without the Kingis command.

The bischop of Morray seing this beginis quiklie to furneish his houss of Spynnie with all necessarie provisioun, men and meit, ammvnition, pulder and ball, as he who foirsaw gryt trubles to follow, bot all for nocht, folio

It is subscrivit throw all Scotland.

The bischop of Morray furneshis his houss.

It wes said that the bischop of Caithness, the bischop of Orknay, the bischop of Argile, the bischop of Dunkeld, and some otheris wes against thir seruice bookis. Thus sum ministeris preichit aganis the samen as papisticall, vtheris preichit aganes this covenant as maid wp and done but auchtoritie, and the subscriveris thairof guiltie of tressoun, schisme, and seditioun, and sua wes this land drawin in diuerss opinionis, and soldiouris lernit in Fyf to dreill; a foreruner of war.

Sindrie bischopis aganes thir seruice bookis.

Diuersitie of opiniouns anent thame and the covenant.

Aluaies it wes reportit the nobilitie, now called covenanteris, send wp their commissioneris with this confessioun of faith and covenant to his Majestie, humelie declairing thay war doing nothing bot legallie, and craveing him to discharge thir bookis of commoun prayer, and sum vther novationis creiping in within the kirk. Thir

The covenant and confessioun send to the King with ane petitioun.

commissioneris gat not full content, yit his Majestie wes pleasit to appoint ane counsall day to be haldin at his owne pallace of Dalkeith, vpone the sext day of Junij nixt, quhair the Marques of Hammiltoun suld be commissioner for the King. The King wreit desyring the Marques of Huntly to be there. The commissioneris grace wreit for sic bischopis as wes in Scotland to keip this counsall day, bot none durst compeir except the Archibischop of Sanctandroiss, who wes also chancelair. The Marquess of Huntlie rode over quyetlie. The commissioner being cum and the counsall set, compeirit the Erll of Rothass, the Lord Lyndsay, and Lord Lovdoun as commissioneris for the nobles and rest of the covenanteris, and gave in ane petitioun craveing the buikis of cannons and commoun prayer, the hie commissioun, buke of ordinatioun, fyve articles of Perthe, and sum vther thinges to be dischargit; and that no bischop sould haue pouer nor place in counsall nor sessioun, nor admit any minister without consent of his bretheren the ministrie within his diocie, for sic ressones as wes contenit in there petitioun. To the quhilk the commissioneris grace ansuerit he sould do his best, that the buikis of cannonis, ordinatioun, common prayer, hie commissioun, and articles of Perth sould be contynewit, and none to be vrgit thairwith whill ane general assemblie sould be indictit and ane parliament to follow; as to the rest he said he had no commissioun to ansuer. Bot this commissioner wes according to the covenanteris owne mynd, being fullie assured of his favour; and the onlie thing that thay war seiking wes ane generall assemblie with ane parliament; quhairof now thay had good hopes.

Thay get not content.

He apointis a counsall day.

He sendis the Marquess of Hammiltoun commissioner.

He wreitis for the Marquess of Huntly.

The bischopis writtin for.

None compeiris except the chancelair.

Commissioneris cumis for the nobilitie.

Thair petition.

The commissioneris ansuer.

Who wes thair true friend.

Sie folio 316 of Doctor Guildis freindlie advyss, bot not followit.

The counsall agane convenit vpone the morne, quhair the Archibishop sat still as Chancelair, but there wes nothing concludit for the peace of the countrie. It is said the Marquess of Hammiltoun, commissioner foirsaid, efter or at the last counsall day, desyrit the Erll of Rothass, lordis Lyndsay and Lovdoun, commissioneris aboue specefeit, to lovs and brak this there confederacie, quhilk in presens of the lordis of counsall thay planelie refuisit to do; wherevpone he wold discharge this thair convocatiouns and bandis of confederacy, be oppin proclamatioun at the cross of Edinbrugh: bot thay heiring of this convenit in mvltitudes and in armes to protest aganes the same, wherevpone the commissioner contynewit this proclamatioun

The counsall sitis doun agane: nothing concludit.

The commissioner desiris the covenant to be brokin.

Ansuerit with plane denyall.

He intendis by proclamatioun to discharge the sam.

Yit continewis whill the King is aduertisit.

The counsall dissolues.

whill he aduertesit the King. Sie heirefter, folio 53, and the counsall dissoluit.

The castellis of Edinbrugh and Striviling watchit.

In the meintyme the Erll of Mar being constabull of the castellis of Edinbrugh and Striviling, and Glenagis capiten wnder him in Edinbrugh, could get no provisioun bot be permissioun of the covenanteris, who wes straitlie begvn to watche both thir houssis day and night. Mervallous that thay sould vse the Kingis houssis so, bot thay alledgit thay did no wrong, becaus thir strenthis war devysit to defend the countrie.

The ladie Marchioness of Huntlie deceissis, the Marquess being south.

As thir bussines ar in doing, word cam to the Marques of Huntlie that his ladie wes veray seik within the laird of Clunyis lodging in Old Abirdein, where the Marquess wes duelling for the tyme. He haistit him hame, bot befoir he cam scho wes deid vpone Thuirsday the 14th of Junij, and he cam not hame quhill Sonday at night, the 17th of Junij.

Gryt lamentatioun.

Gryte lamentatioun wes maid for this matchles lady, humill and discreit, godlie, grave, zealous, religious, and veray charitable, weilbelouit of all and haited of none. Well scho depairtis vpone Thursday foirsaid about mydnicht.

The bellis ring of both Abirdenis.

The bellis rang out of the haill steples of Abirdein, Frydday, Setterday, and Sonday efter hir deceass.

The Marquess cumis home.

The Marques cuming hame on the same Sonday at nicht, causit schortlie convoy doun hir corpis out of the said laird of Clunyis lodgeing to the college churche, with sum company and torche light, quhair hir corpis lay whill the 26th of Junij, but ony more knelling of bellis.

Hir corpis had to the college.

No knelling moir of bellis.

Thairefter careit to the castelhill.

Thairefter careit to the cheppell on the castell hill, and vpone the 28th of Junij, about 12 houris in the day, scho wes lifted; and at hir lifting the toune of Abirdein causit schoot there haill ordinance for ane good night.

Scho is liftit: ane voly of ordinanss.

Scho is honorablie convoyit.

Scho is convoyit with mvltitudes of people in magnifick honorabill maner, haueing hir corpis careit vpone the berares of ane coache be six barronis, and led be horssis wnder ane murning pale. The croun, with hir armes and armes of hir four bransches wes careit, and thus wes scho convoyit to Sanct John the Evangelistis Iyll, or bischop Lichtoun's Iyll, on the north syde of Maucher churche, and thair bureit with gryte mvrning and lamentatioun.

Scho is bureit in Sanct John's Iyll.

The Marquess maid choiss of this place.

He maid choiss of this bureall place, and left the auncient and honorabill bureall of his noble foirbearis and famous father, within the south Iyll of the Kathederall Kirk of

Elgin, be south the queir thairof, and coft this Iyll fra the bischop, minister, and elderis of Old Abirdein, to remane a bureall place for him and his posteritie,[a] and quhilk he resoluit to re-edifie for that effect, quhair I will let this nobill Ladie, Dame Ann Campbell, Marchioness of Huntlie, rest in peace, and speik of hir husband, as ye haue, folio , sore trublit.[b]

In the meintyme, vpone the morne efter her bureall, the Marquess in heiche melanchollie liftit his hous and flittit haistellie to Strathbogie, haueing the number of 10 children, of singular eruditioun and weill brocht wp. The Marquess liftis his houss. He hes 10 children.

Ye hard on the vther leaf whow the commissioner advertesit the King anent the proclamatioun, and of the covenanteris convocatioun to protest, &c. Now he getis order, and causit mak proclamatioun (to dissolue this covenant and convocatioun wnder pane of tressoun) at the cross of Edinbrugh, (quairof thay ar well foirsein, and at all occasioun getis tymous aduertisement what the King wes to do) and thairfoir convenit in multitudes and maid protestationis aganis this proclamatioun, and thairvpone took instrumentis in the handis of sum notaris, quhairof the clerk, young Mr. Alex[r] Gibsoun, wes one. Proclamation wnder the pane of tressoun. Tymouss advertisement. Protestationis aganis the same.

The Marques of Hammiltoun commissioner forsaid now rydis bak to the King, sie folios 57, 58, 59. Hammiltoun gois to the King.

It pleissit his Majestie to recall the sessioun from Striuiling bak agane to Edinbrugh, and to sit doun vpone the 3rd of July for administratioun of justice, bot litle ado in respect of this troublous tyme. The sessioun cums to Edinbrugh.

Vpone the 20th day of July, the Erll of Montross, the Lord Couper, the maister of Forbes, the laird of Leyis Burnet, the laird of Morphie, as commissioneris for the Covenanters, Mr. Alex[r] Henrisoun, minister at Leucharis in Fyf, Mr. Dauid Diksoun, minister at Irving, and Mr. Androw Cant, minister at Petsligo, cam altogidder till New Abirdein. The prouest and balleis courteouslie salutes thame at thair lodging, offeris them wyne and comfetis according to thair laudabill custom for there welcum; bot this thair cour- Commissioneris of the covenant cumis to Abirdein.

[a] See 'Orem's Description of the Chanonry in Old Aberdeen,' p. 22. Lond 1782, 4to.

[b] Item to John Duff, skippor, for shooting the tounes ordinances, at the ladye Marqueis buriell, . £1 0 0 (Guildry Accounts, ad ann.)

Thay refuse the wyne.

teouss offer wes disdaynfullie refusit, saying thay wold drink none with them whill first the covenant wes subscrivit, quhairat the prouest and balleis wes sum what offendit. Aluayes thay took

It is gevin to the beidmen.

their leive, suddantlie causit deall the wyne in the beid houss amongis the poor men, quhilk thay so disdanefullie had refusit, whereof the like wes neuer done to Abirdein in no manis memorie.[a]

Mr. Alexander Hendersone, Mr. Dauid Diksone, Mr. Androw Cant, preichis in the Erll Marshalls cloiss.

Vpone the morne 21st, being Sonday, thir thrie covenanting ministeris intendit to preiche, bot the tounes ministeris kepit them therefra and wold give thame no intress, bot preichit thame selfis in there owne pulpitis. Thay seing them so disapointit gois to the Erll Marschallis cloiss, whair the Ladie Petsligo his sister wes then duelling, ane rank puritane; and the said Mr. Alex[r] Hendersone preichit first, nixt Mr. Dauid Diksone, and lastlie Mr. Androw

Thay get auditoris.

Cant, all on the said Sonday; and diuerss people flokit in within the said cloiss to heir thir preicharis and sie this noveltie. It is said this Hendersone red out efter his sermon certane articles proponit be the divynis of Abirdein, amonges whiche wes alledgit thay culd not subscrive this covenant without the Kingis commaud, quhairvnto he maid sic ansuer as pleissit him best.[b]

Thay preich agane.

Vpone the morne, being Mononday, thay all thrie preichit agane efter vtheris within the said cloiss. Many auditores wes thair,

Sindrie subscrives the covenant within Abirdein.

quhairof sum wes movit to subscrive the covenant, sic as Patrik Leslie, burges of Abirdein,[c] Johne Leslie his brother, Mr. Alex[r]

[a] The Commissioners of Burghs, who arrived in Aberdeen in the beginning of July, appear to have conformed to the 'laudabill custom,' which their successors of the Barons and Clergy now 'disdaynfullie refusit' to do. The following entry shows a considerable expenditure for the 'comfetis' bestowed on the first set commissioners:—

Item for ane dussone of buistis, quhilk wer coft for the use of the Commissioneris of Burrowis at thair coming to this burghe, anent the mater of the covenant, and wer spent senayne with Mr. Robert Petrie and otheris, ... £7 4 0

(Guildry Accounts, ad ann.)

For various particulars as to the 'cup of Bon-Accord,' reference may be made to the 'Book of Bon-Accord,' pp. 13, 14, 15.

[b] For some incidents which happened on this occasion, see 'Book of Bon-Accord,' p. 119.

[c] Leslie's covenanting propensities had probably displayed themselves at an earlier period. His conduct as commissioner for the burgh, in Parliament in 1636, made him obnoxious to the King, and led to his being removed from his office of Provost, as has been already mentioned. In January, 1636, he presented a petition to the lords of Privy Council, setting forth, 'that he hes had no little caus of greif and displesour this long tyme bygaine, for his Majesties offence tane aganes him, wpoun occasioun of his behaviour at the late Parliament; and he cannot express how farre this greiff oppresses and vexes him, both in

Joffray, sindrie of the name of Burnet, and vtheris burgessis of Abirdein, and likuaies Mr. Johne Lundie, maister of the Gramer Scooll, commoun procuratour for the Kingis College, Mr. Dauid Lyndsay, persone of Balhelvie, Mr. Androw Melving, persone of Banchorie Devnik, Mr. Thomas Melvill, minister at Dyss, Mr. Walter Andersoun, minister at Kynnellar, Mr. Williame Robertsone, minister at Futty. And siclik by all manis expectatioun Doctour Williame Goold, ane of the ministeris of the said brughe of Abirdein, and maister Robert Reid, minister at Banchorie Trinitie, bot thir tua subscrivit this covenant with sum limitationis and restrictionis, quhairof the tennour follouis.

Ministeris subscrives.

Doctor Guild and Mr. Robert Reid subscrivs with limitatioun.

Limitatiouns and Restrictiouns of Doctour Williame Goold, Minister at Abirdein, and Mr. Robert Reid, Minister at Banchorie, anent the subscriveing of the Covenant.

D. W. Goold and Mr. Robert Reid haue subscryvit the covenant maid be the noblemen, barronis, gentrie, and ministeris anent the mantenans of religioun, his Majesties auchtoretie and lawis, with these expres conditionis: To wit, that we acknowledge not nor yit condempne the articles of Perth to be vnlauchfull or heidis of popery, bot onlie promciss (for the peace of the churche and vther ressonis) to foirbear the practeiss thereof for a tyme. 2. That we condempne no episcopall gouerment, seccluding the personall abuse thereof. 3. That we still retane and sall retane all loyall and deutifull subiectioun and obedience vnto our dread soveraigne the Kingis Majestie, and that in this senss, and no vtheruaies, we haue put to our handis to the foirsaid covenant. These nobilmen, barronis, ministeris, and commissioneris wnder subscriveand does testifie, at Abirdein, the 30th of July 1638. Lykas we wnder subscriving does declair that thay nether had nor haue any intentioun bot of loyaltie to his Majestie, as the covenant beires.

Limitatiouns and restrictions.

And so thir restrictiounis wes subscrivit in a paper be it self as follouis, *Montroiss*, *Couper*, *Forbes*, *Morphie*, *Leyis*, *Hendersone*, *Diksone*, and left in the said Doctour Gooldis owne keiping for interpretatioun of thir tua there subscriveing of the covenant. This

Thay ar subscrivit.

Doctor Goold getis the keiping thairof.

the spirit and persone; and for reparatioun thairof he will studie in all tyme comeing, to the wttermost of his endeavouris, to approve himselff a most dutiefull and obedient subject to his Majestie.' The object of his petition was to be relieved of his office of councillor of the burgh, to which he had been elected, as 'he fears that this [election] sall breed some new matter of offence to his Majestie and the said lords.' In virtue of the Act of Council, which followed on this petition, a new councillor was elected in the room of Patrick Leslie. (Coun. Reg.)

Goold wes ane of the Kingis owne chaplans of the cheppell royall,

He setis out ane printed paper.

and he setis out ane imprinted peice direct to the nobilitie, gentrie, burrowis, ministeris and otheris of the combinatioun of the covenant, and printed in Abirdein in anno 1639, wissing no armes to be raisit aganes the King, quhairof the coppie is set doun heirefter,

He subscrivis agane absolutlie.

folio 316. Notwithstanding of all thir cloakis, he subscryves the covenant absolutlie but limitatioune, as ye may sie, folio 159.

The commissioneris gois from Abirdein, getis mony subscriptiouns out of Buchan, Mar, Mernis, Gareoch.

Bot the foirnamed commissioneris and thair thrie ministeris befoir this went from Aberdene, went doun throw the presbitreis of Buchane, and gat mony subscriptionis of ministeris and laickis to thair covenant. Thay past out of Abirdein vpone the 23d of July,

Thay returne to Abirdein, and gat there subscriptionis.

and returnit bak agane there vpone the 28th of July, and gat the subscriptionis of Abirdein, as ye haue hard. Thay war bot few in company about 30 horss, and mvltitudes resortit to thame besydis out of Buchane, Mar, Mernis, and the Gareoche, who subscrivit all. In end thir commissioneris depairtit south out of Abirdein. Sie more heirafter, folio

Johne Dvgar a gryte oppressour.

Vpone the aucht day of August Johne Dvgar, of whome sum mentioun is befoir, folio , cam with his companyeouns to the laird of Corss, professour, his boundis, and spolzeit the ground, and spolzeit Mr. Thomas Forbes minister at Leoquhell his houss, and oppressit the Kinges leiges grevouslie quhaireuer he cam, in Strylay and other places. He wald tak thair horss, ky, and oxin, and caus the awneris compone and pay for thair awin geir. He gave him self out to be the Kingis man, and sua micht tak and oppress the covenanteris and there goodis at his plesour. He trublit the merchandis at Bartholomew fair, and causit them to pay soundlie.

He takis Mr. George Forbes, and sendis for money to his maister the laird of Corss.

He took out of the laird of Corss boundis also ane brave gentilmen tennant and duelling thair, and careit him with thame, and send word to the laird desyring him to send ane thousand pundis, quhilk

Sie moir of Gilliroy, folio

the lordis of counsall gave to his name for taking of Gilliroy, or then he wold send his manis heid to him.[a] The laird of Corss raid

[a] In his Diary, Dr. Forbes makes reference to the abduction of his relative, as one of many other troubles by which he was then distressed. 'Also finding myself yet compassed with dyvers afflictions, by the good hand of my heavenly father, upon myself, my wife, my daughter, and my estait, and my reputation, and upon my friends; and remembring how fearfully I have been threatened, and reproached, and troubled, both by my countrymen, subscryvers of the

schortlie to Strabogie and told the Marquess, who quiklie wreit to M^cGrigour for to send bak Mr. George Forbes agane, or then he wold cum him self for him. Bot he wes obeyit, and cam to Strathbogie haill and sound vpone the 15th of August, (quhair the laird of Corss stayit whill his returne) but payment of any ransoum. He thankit his lordschip, syne returnit home; bot this Dvgar wes slayne thairefter, as ye haue, folio 159. This doctour Johne Forbes of Corss hapnit out of zeall and a weill meining mynd to wreit out ane treatiss, quhairof sum copies spred abroad, touching our nationall Confessioun of faith, registrated in parliament, and concerning that vther litle confessioun called *generall*, whiche wes also callit *the Kingis Confessioun*, and *the negative Confessioun*, contaneing the oathe.

Corss getis bak his man, by the Marques moyan to his great joy.

Doctor Forbes wreitis ane treatise.

This writtin paper cam to the handis of Mr. Alexander Hendersone, minister at Leucheris, and maister Dauid Dikson, minister at Irving, and sum bretheren of the ministrie, who findis fault with the same in there *Ansueris to the Replyis of the Ministeris and Professoris of Divinitie in Abirdein, concerning the lait covenant*, givin out in print in anno 1638, and at the ansuer to the 12 demand, folio 30, saying, "Wee told you befoir that we did no more allow violences of that kynd nor we did allow the foull aspersionis of rebellioun, heresie, schisme, and periurie put vpone the noblemen and remanent covenanteris," &c. Quhilk ansueris ar subscrivit be the saidis Mr. Alex^r Hendersone and Mr. Dauid Diksone. Bot this Doctor Johne Forbes of Corss perceaving his writtin paper to be querellit in forme foirsaid in suche dangerous tyme, settis out ane vther printed paper, dedicat to the Marques of Huntly, called *A peceabill warning to the subiectis in Scotland*, givin in the yeir of God 1638; and in the preface of the author he there planelie and oppenlie disallowis all other copeis, and holdis to the said onlie

It is querrellit by sum ministeris, in thair ansueris.

Doctor Forbes settis out another paper.

Dedicat to the Marquess of Huntly.

He disallowis all other coppeis.

late covenant, boasting to take my life, and my estate, and my good name from me all at once, and to bury them all in ignominie; and also by the savadge Highlandmen who took captive one of my tenents, being my cousin also, and thretned to kill him except thay got in hast a very greit ransom.' He afterwards states:—'My Lord Marquis of Huntly, under God, helped me by his moyen to recover my cousin from the Highlandmen without ransom; but, by occasion of that my cousin, I hade soone efter a new and a very fashious trouble, wherout of God hath now also delivered me.' (Diary, fol. 58, 59.)

perfect editioun; wherein there wes no sic wordis indeid set doun as *rebellioun*, *heresie*, *schisme*, and *periurie*. By this imprinted paper he thocht he micht be frie of what wes writtin befoir, according to the priviledge grantit to writtares and penmen, and to haue escaped the severe censur of the covenanteris, wherein he wes muche deceaved.[a]

He thinkis his first coppie sould escaip censur, bot is deceavit.

He and rest of Abirdenis doctouris setis out ane vther printed paper.

Aluaies the said doctour Johne Forbes of Corss, doctour Alexander Scrogie, minister at Old Abirdein, doctor Williame Lesley, principall of the Kingis Colledge, doctour Robert Barron, minister at Abirdene, doctor James Sibbald, minister thair, and doctour Alexander Ross, minister thair, setis out ane printed paper callit *General Demandis concerning the lait covenant, &c., with the bretheren thair Ansueris maid to the saidis Demandis; togidder also with the Replyis of the foirsaidis ministeris and professoris maid to the Ansueris of the said bretheren*, altogidder prynted in ane volum, daitit in anno 1638.[b]

It is ansuerit, and replyis maid to the ansuer.

Ane vther prynted paper set out by the bretheren, callit the ansueris, quhairat the Marquess of Hammiltoun takis exceptioun. Sie follo 60.

Wherevpone followit ane vther printed peice, called the *Ansueris of sum bretheren of the Ministrie to the Replyis of the Ministeris and Professoris of Divinity in Abirdein concerning the lait covenant*, in anno 1638, subscrivit be Mr. Alex[r] Henrisone, minister at Leucharis, and Mr. Dauid Diksone, minister at Irwin. Likeas the saidis ministeris and professoris of Abirdene set out ane vther imprinted paper ansuering thairto, callit *Duplyes of the Ministeris and Professoris of Abirdein to the secund Ansueris of sum reverend bretheren concerning the lait covenant*, in anno 1638, and subscrivit be the saidis persones as followis, viz.:—

Duplyis agane set out by the divynes of Abirdein.

[a] The author, in his Diary, has recorded the reasons which induced him to print 'that warning which, at request of my Lord Marquis of Huntly, I wrot, and for which my countrymen, covenanters, have threatned me with all those evills' 'I considering that it became me not to stryve for words wherat they took exception, and which they did interpret as reproachfull against them, although my constant intention was lovingly to warne them, I resolved, with the advyss of some brethren, to publish that warning on print, removing out of it all hastie words, and craving pardon for anything that was amiss, thus to declare to all men my Christian and peaceable disposition; heirby they seeme to be somewhat appeased, but yet some of them doe continew threatning me, if so they may drive me by humane terrour to approve and goe their way, which truely my conscience suffereth me not to do.' (Diary, fol. 59.)

[b] See a note regarding this work in Gordon's Memoirs of Scots Affairs, vol. i., pp. 9, 10.

Johne Forbes of Corss, doctour and professour of divinitie in Abirdene. Thay all subscrive it.

Robert Barroun, doctour and professour of divinitie, and minister in Abirdein.

Alexander Scrogie, minister at Old Abirdein, D.D.

Williame Lesly, D.D., and principall of the Kinges Colledge in Abirdein.

Ja : Sibbald, doctour of divinitie and minister at Abirdein.

Alexander Ross, doctour of divinitie and minister at Abirdein.

Bot to thir *Duplyis* the reverend covenanting bretheren maid neuer ansuer that cam to the print of my knowledge, and as is thocht by sum, vnansuerabill. Aluaies I leave the consideratioun of thir peices to the judicious and ingenuous reidar. No ansuer made to thir Duplyis.

Aluaies thir wreitinges *pro et contra* bred no small trubbill to the consciences of good Christeanes, seing sic contrair opinionis amonges the clergie within a reformed satled kirk ; not knowing whome to beleive for saluation of thair sillie soulles, nor whose opinioun thay suld follow in thir troublesum tymes. Thir paperis bred trubbill. The people knowis not whose mynd to follow.

Now as thir paperis ar going abroad, the Archibischop of Sanct Androis ane old reverend man, Heighe Chancelair of Scotland, is forsit for fear of his lyf to flie from the kingdome of Scotland to England, for saiftie and refuge at the Kingis hand. The bischopis of Ross, Brechin, Galloway, and Dumblane went all to him also for releif. The King wes veray sorie at thair overthrow, but culd not for the present mend it ; aluaies he gives order for thair mantenance. The Archibishop of Glasgow lying bedfast micht not move. The bischopis of Abirdene, Morray, and the rest baid at home for a while in rest. Sie heirafter, folio . The bischop of Edinbrugh gois likuaies. The Archibischop of Sanct Androis fleis to England. The bischopis of Ross, Galloway, Dumblan, Brechin, followis. The King is sory, and givis ordour for thair mantenance. The Archibischop of Glasgow is seik. The rest bydis at home.

The glorious organes of the cheppell royall maisterfullie brokin doune, nor no service vsit thair, bot the haill chaplanis, choristis, and mvsicianes dischargeit, and the costlie organes altogidder distroyit and vnvsefull. The organs of the cheppell royall brokin doun. Musitians, chaplans, and choristis dischargit.

Thir vncouth alterationis bred horribill feiris in the hairtes of the countrie people, not knowing what to doe nor whome to obey.

Vpone the 6th of August, 1638, James Erll of Morray depairtit this lyf in his owne place of Dernvay, and vpone the morne wes The Erll of Morray deceissis.

His barnis. His bureall. quyetlie bureit at the kirk of Dyke, but convocatioun, pomp, or worldlie gloir as himself had directit befoir his deceass. He left tuo children behind him, ane quhairof succeidit Erll, the vther wes ane dochter mareit to the laird of Grant, as ye may sie, folio . His ladie levit not long efter him, for scho depairtit also, as ye may sie, folio 167.

His lady followit.

The Lord Gordon cumis home. He bringis diueras letteris.

Vpone the 13th of August the Lord Gordoun cam from court home to Strathbogie. He brocht ane packet of letteris fra the King to the Marques his father, quhairin wes also packed letteris direct fra his Majestie to bothe Abirdeinis, and to the professoris and doctoris of divinitie off both tounes; and siclike the Marques of Hammiltoun accompaneit his Majesteis letters with letteris also to the saidis tounes and doctoris. What wes contenit within the Marquess letteris I cannot tell, bot the vther letteris ar copeit verbatim as followis :—

Charles Rex.

The Kingis letter to Abirdein.

Trustie and weillbelouit wee greit you well: Haveing vnderstood how dewtifullie ye haue careit your selffs at this tyme, in what concernis the good of our service, and particularlie in hyndering sum stranger ministeris from preicheing in any of your churches: We haue takin notice thereof, and do give hartlie thankis for the samen, and do expect that as your careage hitherto hath bene good, so you will contynew, assureing you that when anything that may concerne your good sall occur, we will not be vnmyndfull of the samen. We bid you fairwell.

From our court at Oatlandis, the last of July 1638.

This letter on the bak is directed thus: To oure trustie and weillbelouit the prouest, balleis, and counsall of Abirdein.

The coppie of the Marques of Hammiltoun's letter to Abirdein.

The Marquess of Hammiltonis letter to Abirdein.

Veray loving freindis, I hold it my deutie to accompany this his Majesteis lettteris with those few lynes. Haveing hard since my cuming hither of the gryte zeall you beir to his sacrad Majesteis seruice, and likuaies not onlie yow, bot your whole toune ar still preassit for till subscrive ane covenant, nowayes acceptable to his Majestie: And therefoir, as his commissioner, doe ernestlie requyre yow cairfullie to avert, and so far as lyis in your pouer in a fair and peciabill way, to hynder the subscriptioun thairof by any within your toune, as you wold deserve thankis from his Majestie, and receave favour fra him as occasioun sall offer. Thus with my hartlie wissis for your prosperitie, I rest

Sic subscribitur, Youris veray loving and affectionat good freind,

Holierudehouss, 10th August 1638. J. Hammiltoun.

This letter vpone the bak is also directit: For my veray loving freindis the prouest, balleis, and counsall of Abirdein.

The Kingis letter to the Doctoris and Ministeris of Abirdein.

Charles Rex.

The Kingis letter to the doctoris and ministeris of both Abirdenis.

Trustie and weilbelovit wee greit you well: As we did with gryte discontent heir of the careage of those (who call them selfis covenanteris) in your citeis which ar your charges, so we did with alss gryte content receave the newis of your discreit and peciable opposing them; and thogh we haue not yit had tyme to recommend the perusing of your printed Quereis to sum of your owne professioun, whose judgement we purpose to ask therein, yit vpone our owne reiding of them we fynd our selffis satisfeid, and thocht good presentlie to schow oure gratious acceptatioun of the samen, and that we do hold them, bothe with lerning and a peceabill moderat styll, ansuerabill to men of your professioun and place, assureing that if ye sall contynew according to your power in this way whiche ye haue begvn, yow sall therein do ws veray acceptable seruice, whiche sall not be forgotten by ws: quhairof, nowayes doubting, we bid yow hartlie fairweill.

From oure court at Oatlandis, 4th August 1638.

Directit on the bak, To oure trustie and weilbeloved the Professoris and Preicheris of both Abirdenis.

The copie of the Marquess of Hammiltoun's letter.

The Marquess of Hammilton's letter to the doctoris and ministeris of bothe Abirdenis.

Reuerend Gentilmen, so soone as I wnderstood from my Lord Marques of Huntly of the lait proceidingis at Abirdein, I dispatched vnto his Majestie the samen, (for I met with his lordschipis packet on my way touardis Scotland, and with all your printed Quereis) whiche how weill thay ar acceptit by his gratious Majestie yow will eselie perceave by his owne letter, whiche heir I send you; I hold it my pairt to let yow know how acceptable to my self your haill careage hes bein, and with what content I red bothe your first Quereis whiche I send to his Majestie, as likuaies your second Reply, which I haue receavit since my cuming hither, and am now sending to my most gratious maister. In there ansuer to your first Demand I am infyneitlie wrongit by those thrie ministeris, who (without the least suspitioun of treuthe) have averred that I wes contented and weill pleasit with the explanatioun of the covenant whiche wes presented to me, as ane humill supplicatioun of the noblemen and vther convenanteris, and I being inioyned by his sacrad Maiestie to receave the petitionis of his subiectis and to give ansueris to them, bot to that I culd give no vther ansuer then that I suld acquent his Majestie therewith, who hath as yit returned none to them, thoght I will assure yow his Majestie is far from receaveing ony satisfactioun by what wes contenit in there supplicatioun or explanatioun, and ressone hath he to

think so of it; and what wes my sens and speiche to those that did delyuer it, and how far contrarie to that thay falslie alledgit, diuerss of the lordis of his Majesteis counsall can beir me witness, most off whiche number thay haue also wronged by inserting vntruthis in the ansueris to your Quereis. And if justice be not quyt baneist out of the land, I hope I sall not be denyit aganist suche calumneis as thay haue raisit of me. Your last buke of Demandis and Reply, with your ansuer, I purpose presentlie to print heir, and you sall heir that I sall cleirlie vindicat my self from so foull ane aspersioun. In the meintyme I end, with my hartlie thankis for your lerned panes, and pious and peceabill styll, and my ernest sute vnto yow for constant contynewance in the samen as occasioun salbe offerit, with assureans that I salbe ane faithfull recommender of all your endevouris to oure most gratious Souersigne, as being the dewtie of him, to do whiche will euer approve him self to be

This justice turnit to 'God forgif them,' as ye may sie, folio 62.

Your veray respectfull freind,

Holyroodhouss, 10th August, 1638. J. Hammiltoun.

The directioun on the bak, For my veray loving freindis the Professouris and Preacheris of both Abirdenis.

The Marquess of Hammiltoun vpon the covenanteris courss from the beginning, as wes reportit.

By this letter ye may sie the Marques of Hammiltoun is offendit with Mr. Alex[r] Hendersone, Mr. Dauid Diksone, and Mr. Androw Cant, with thair Ansuer to the doctoris of Abirdein thair first Demand, bot howsoeuer he wes guiltie or innocent, yit no thing follouit be justice aganist thir ministeris, as he wreitis.

Abirdein reioysis at thir letteris.
And is encuragit to byd be the King.

In the midtyme, both Abirdenis and doctoris ar so encouragit by thir letteris wrettin to them from his Majestie and his commissioner, bakit also with the Marques of Huntleyis letter of recommendatioun, (who knew nothing bot honestie) that thay stood out aganist the covenanteris, and baid be the King constantlie whill thay could do no more, to there vtter overthrow, schame, and indignitie, where as all the rest of the burrowis subscrivit this covenant and leivit in peace, as heirefter may apeir; bot vnfortunat Aberdene wilfullie stood out, (except sum who had alreddie subscrivit, as ye haue befoir, folio) luiking for help fra the King; bot he and thay bothe wes borne doun, as may be sein heirefter.

Quhilk was thair overthrow, and vther burrowis leivit in peace.

The Marquess of Hammiltoun cumis fra court.

Ye sie, folio 53, how the Marques of Hammiltoun rydis to court. He returnes bak as ye may perceave about the first of August, and convenis ane counsall shortlie at Holyroodhouss, and in presens of the lordis he produces ellevin sindrie articles, brocht doun be him fra the King, for reformatioun of sum escaipes and satlyng of the countrie, quhairof coppeit is thus:—

He convenis ane counsall, and produces 11 articles of reformatioun.

The ringleidaris of the covenant preichit at other kirkis, and left thair owne; deposit and admittit at thair plesour.

Ye hard befoir of the 11 Articles send doun be the King. It wes not without good caus, for the ringleidares of the covenant amongis the ministrie left there owne kirkis, and went throw the countrie teiching and preiching at other ministeris kirkis who wes contrair to there covenant, deposit whome thay pleissit, and admittit in thair roumes vtheris of the covenant. Bot the commissioner his grace receaved fra thame no satisfactorie ansuer to thir most ressonable articles to haue bak to his maister the Kingis Majestie.

Hammiltoun gois to court without ane good ansuer.

The commissioner rydis to court about the 25th of August.
Sie folio 64.
He forget not to wreit to both Abirdenis.

Aluaies he haistis to court with the covenanteris ressonis of there supplicatioun to schow his Majestie, and with all forget not to wreit to the doctoris and preicheris of both Abirdenis, desireing thame to contynew constant and remove all feir, assureing thame of his Majesteis favour and protectioun aganes the covenanteris, and send also ane litle imprinted treatise called *The Marquess of Hammiltoun's Manifesto*, quhairof the tennour followis:—

His manifesto aganis ane peice set out by Mr. Alexr Henrisoun, Mr. Dauid Diksone, and Mr. Andro Cant, ministeris, cleiring himself aganes sumquhat thay had writtin in his name, as his manifesto beiris.

It will no doubt seim strange to sie my name in print, standing so neir those men who ar interlocutoris in the succeiding pages, there professioun and myne being of so different natures, bot I sall intreat the ingenuous reidar to tak notice of the necessitie of this my doing.

I am by the thrie Ansuereris to these Demandis wrongd, and that by ane iniurie of ane heiche nature, challengit in wreiting to haue done that, whiche God dothe know neuer enterit in my thoughtis, and for any thing the ansueraris did or doe know neuer cam into my mynd: and thogh by the law of challengis (thay haif challengit me) I may chooss the wapinis, (whiche certanlie sould haue bein of ane vther kynd, had the challengeris bein of ane other professioun) yit being men of so holie ane functioun, I haue thocht good to mak choiss of there owne wapinis, and by my pen to do out that blot whiche thay by there pen haue laid vpone me. And I haue thoght it fit to do it in a scedull annexit to this book (whiche for that caus onlie I haue causit to be heir reprinted) that quhair menis myndis perhappis may be poysoned by swallowing ane vntruthe in there Ansueris, so deiplie wounding my honour and loyaltie, this antidot micht be reddie at hand to cure them befoir thay suld be fully taynted with it, as likuaies supposeing that if thay sould be printed seuerallie, many micht meit with there Ansueris allone, whiche micht leave in them ane bad impressioun of me if thay sould not be attendit with this just and trew expositioun of myne.

The Marquess of Hammiltoun's manifesto.

The iniuries wherewith I am violated by the thrie Ansuereris ar of tuo sortis. One of them strikis me allone as his sacrad Majesteis Heighe Commissioner: the vther woundis me as his Majesteis counsallor, and with me all of that honorabill burde. The former is this, Thay deliuer affirmatiuelie that the declaratioun whiche thay randerit me of there lait covenant wes suche as I accepted and wes well pleased with. And this thay set doun tuyss, for failling in there Ansuer to the first De-

mand touardis the end, and in there Ansuer to the thrid Demand a littill before the middill of it: and that with suche confidenss as trewlie I can not with any justice blame the reidar for beleiving of it, when it fell from the penis of these men, whose professioun is the teiching of truthe. Bot I sall desyre the reidaris to suffer them selffis (notwithstanding the preuidice of these menis personis) to be vndeceaved by a plane averment of truthe.

I am confident none of these thrie Ansueraris euer hard me say so, nor will thay say thay did, if thay but hard it from vtheris (whiche I do verilie beleive thay did not, and sall do so still, till thay avouche there authoris) since no man can chuse but miss in them that ciuill prudence whiche will not allow any discreit man to afferme that of any other, muche less of a persone of my qualetie, and at this tyme of my place, the foundatioun quhairof salbe so fraill and slipperie as report, (whiche is aluayes vncertan and most tymes falss.) His manifesto.

For cleiring the truthe, I do aver, vpone myn honour, that I neuer said so, I never thocht so, and thoght that that declaratioun wes much betterit by the industrie of sum weill effected, (from what wes first intendit) yit it gave me not satisfactioun; and I dar boldlie afferme, I neuer said it wold neuer give my maister the Kingis Majestie any. My justificaris in this case salbe these nobilmen, gentilmen, and otheris to whome I euer spak; either publictlie or in privat. I wes indeid content to catche at anything I could, when I could not obtane what I wold, as being willing to do my countriemen that respect, as to the vtmost of my pouer to recommend to my gratious maister with all fauorable constructioun, even that whiche I then thought and did know fell schort of just and home satisfactioun. Nor is there any ground for there opinioun of my acceptatioun of that declaratioun, vnless thay call receaveing accepting; and that wes not in my pouer to refuse, it being conceaved in formall wordis of a supplicatioun, and so renderit to me, who, by my royall maister his instructionis, wes commandit to receave the petitionis of all his good and loyall subiects.

And heir do I confess I cannot charge it for ane faultie mistak vpone the reidaris of these asseverationis of the thrie ansueraris, if thay sould, befoir this my declaratioun, conceave that his Majestie war in all probabilitie like to rest satisfeit with that declaratioun of the covenant; haueing it deliuerit to thame from men (whome in all this bussines) thay haue beleived as muche as them selfis, that his Majesteis commissioner (who in all liklihood) did know his Majesteis mynd best, did rest satisfeit with it. His manifesto.

But his Majestie hath just ressone to charge me, if these asseverationis war true, as I haue good ressone to vindicat myself, thay being not trew. The truthe is if these asseverationis be trew, I do profess to the whole worlde, that his Majestie hath a most just causs to discharge him self of me and my service, and to discharge me of all trust in this, or ony other negotiatioun; for I profess, that I knowing his Majesties constant mislyke of the said covenant, it must bewray in me either brak of trust, or want of judgment, if I sould go about to mak either myself, or the world beleive that my maister could receave satisfactioun from suche ane explanatioun.

And heir I cannot dissemble, but ask leive to vent my self thus far. Had these

wronges bein put vpone me be the pouer of ather men, and not of those whose professioun, I am forbourn and willing to observe, because I wold haue it so) will not suffer thame to intrance wilfull and malitiouss insignes. I wold justlie haue doubted that their had bein sum men in this kingdome, who being effrayit of a suttell and pretaibill conclusioun of his enemeis, had gone about to reuss in my royall and gratious maister a jelousie of my sinsiress in my king and countreis service, that so I micht be cullet out vp sojetie.

If my sucine enemeis their be to the pouer of this miserable distracted Churche and State, I beseiche God in tyme to discouer them, and that all may end in covering them with schame and confusioun. The sum of all I will say of this personall wrong offered to my self is this: If these reuerend and learned gentilmen, the Assemeraris, in their vsuall superioritie, intendit any iniurie to me, I will suffer now requyte thame with ane cast of there owne calling, I pray God forgive thame. If thay intendit me no harme, then I do expect that they will give my self and the warlde satisfactioun in clairing me, that I gave them no ground for these their asseuerationis, and so being confident of his Majesteis goodness to all his ministeris, amongst the rest (to the meinest of thame) myself especiallie in this particular, that he will never be schaikin in the opinioun of my loyall and constant service, vpone sucine slicht, light, and groundles reportis. I will say no more of that first point. The manifesto.

For that whiche concerneth myself as a counsallour, and the rest of that honorabill board, averred by the thrie Assemeraris in there Answeris to the 3 and 4 Demand, I doe heir protest before Almightie God, that nane of the allegationis alledgit by the 3 Assemeraris, nor any petitioun givin me by the supplicantis, mevit me to give way that the ordour of the counsall table sould not pas into ane act; for I did them, and do now avow, that I then was, and now am fullie satisfeid with his Majesteis most gratious declaratioun, and that, in my opinioun, all ought to haue thocht them selfis sufficientlie fred from fearis of innouationis, but the true reasone wes this: I wes so tenderly affected towardis the peace of my countrie, that I gave way to that whiche many of honorable qualitie assured me, if it war not done, a present rupture might follow, and so consequentlie the ruin of this kingdome, which I wes resolved to keip af, so long as possible I could, retaneing my fidelitie to my maister: Whiche care of myne I fynd but slenderlie requyted, when it is maid ane argument to persuade his Majesties good subiectis to do that whiche is so displeasing to him, and so vnsuit for thame; and yit even in this passage it wold haue bene expected from men of that professioun, that nothing suld haue passed but vndoubted truthe. In whiche point too thay haue faultit, either, as I hope, by a mistaking or a misinforming, for the missive ons thocht fit to be sent to his Majestie wes neuer rent, bot remaneth yit as it wes: and we did not send it becaus we did not think thankis to his Majestie wold be seasonabill in the name of the whole kingdome, when we knew his Majestie, by the last proceidingis of many, and protestationis maid aganist his royall declaratioun, (pretendit in the name of the haill countrie) could not receave satisfactioun.

The conclusioun of this manifesto. To conclude, notwithstanding this personall wrong offred to me his Majesteis Highe Commissioner, I will cairfullie, cheirfullie, constantlie go on with this great

bussiness wherewith he hath entrusted me, whiche as I pray God that it may prosper wnder my hands, so I praiss God that he hes givin me so cheirfull and willing ane hairt to go on it; that if my life could procure the peace of this torne Church and kingdome, to the contentment of my royall maister, and comfort of his distracted subiectis, he who knoweth all thingis, knoweth likuaies this truthe. It is the sacrifice of the worlde in which I wold most glorie, and whiche I wold most sinceirlie offer wp to God my King and country.

Sic subcribitur, HAMMILTOUN.

This is copeit from the prynt, and prynted by Robert Young, cum privilegio in anno 1638. The printing of this peice.

No doubt bot the doctoris of bothe Abirdenis ware encouraged by the Marques missive and his manifesto aboue written, bot all for nocht. It turned to thair greif and sorrow, and wrack of Abirdene, as ye may sie heirefter, folio . The doctouris encuragit, bot is borne doun.

Now whill his Majesteis commissioner is ryding to court, as ye hard befoir, the covenanteris beginis most cairfullie to provyde for men and mak muster in Fyf and other pairtis, and held thair publict meitinges and conventionis aganes the lawis as appeirit, and but authoretie, in the Grayfreir Kirk of Edinbrugh, to the mervaill of many, sie heirefter, folio 64. He rydis to court about the 25th of August. Meitingis and musteringis.

The Lord Deskfurde about this tyme wes maid Erll of Fyndlater, whereat the Lord Ogiluy took exceptioun, being narrest the stock to wit, the laird of Purie-Ogiluy, and nobilitat before him.[a] The Lord Deskfurde maid Erll of Finlater. Exceptioun takin thairfra.

[a] The first baron of Deskford, of the name of Ogilvie, was Sir Walter Ogilvie, son of Sir Walter Ogilvie of Lintrathin, High Treasurer of Scotland in the reign of James I. Sir Walter, the son, acquired the barony of Findlater, by marriage with Margaret Sinclair, daughter and heiress of Sir John Sinclair of Deskford; and his descendent, James, second Lord Ogilvy of Deskford, was created Earl of Findlater, by patent dated 20th February, 1638. Sir Walter of Lintrathin, the father, was ancestor of James, eighth Lord Ogilvie of Airly, who was created Earl of Airly on 2d April, 1639. The old House of Ogilvy of that Ilk, (or as in the text Purie-Ogilvy) never attained to much importance itself, but it probably gave birth to the great branches of Auchterhouse and Lintrathin. The patent of the Findlater Peerage was to the first Earl, and the heirs male of his body; he, however, had no male issue, and on 18th October, 1641, a new patent was granted, whereby the honours of Findlater were secured to Sir Patrick Ogilvy of Inchmartin, the son-in-law of the first Earl, and to his heirs male. This last patent gave offence to the Earl of Airlie and several other peers, who supposed that Sir Patrick would claim precedence over them, under the first patent to his father-in-law. His Majesty, however, by a writ dated at York, 29th November, 1643, declared that such was not his royal meaning, as such precedence would be especially 'derogatory to James, Earl of Airlie, who, besides that

Ane convention of burrowis holdin at Striviling. None to be maiestratis bot covenanteris.

Vpone the 8th of August ane conventioun of burrowis holdin at Striviling, quhair it wes actit, no maiestrat to be chosin throw all the burrowis of Scotland bot sic as had subscrivit the covenant. The brughe of Abirdene had no commissioner there, becaus thay war not aduertesit (as the custom is) with the rest. Aluaies ane extract of this act wes send to thame fra this conventioun without any missive, quhairat thay mervallit.

Abirdenis adverteisment.

The commissioner returnis, bringis the Kingis mynd, and confessioun and generall band.

Ye hard, folio 60, how the commissioner rode to court. He returnes bak to Scotland commissioner agane about the 15th of September, with the Confessioun of the faith and band of mantenans, word be word, conform to the first, as ye haue, folio 319, and the inscriptioun of the samen covenant, folio 325, and in presens of the lordis of counsall producit his Majesteis letter, declairing he wes most vnwilling to bring in novationis or alterationis of religioun within the kirk, bot to mantane the Confessioun of the faith, quhilk he send doun to be subscrivit first be his commissioner and nixt be the lordis of counsall. And this confessioun, sie folio 319, the commissioner also producit befoir the saidis lordis with the band of mantenans, requyring and commanding the saidis lordis to subscrive the samen in form foirsaid, conforme to our Soueraigne lords letteris, of the dait at Oatlandis, the nynt of September, 1638.

It is subscrivit be the counsall at the Kingis command.

Letteris to charg the haill leigis to subscrive.

As likuaies that the senatouris of the college of justice, judges and maiestratis to brughe or land, and all vther subiectis quhatsumeuer, to renew and subscrive the said confessioun of faith and band of mantenans, quhairby all feiris of alteratioun of religioun micht be removit out of the hairtis of his good subiectis. In the quhilkis letteris also wes contenit a discharge of the seruice bookis, book of canonis, hie commissioun, and dischargeing all personis from practeising the fyve articles of Perth; that ilk minister at thair entrie suld be suorne conforme to the Act of Parliament, and no vtheruaies; that his Majestie wold forget and forgive all former disorderis movit anent thir bussinessis; and if they do the lyk to be lyabill to the tryell of ane Parliament, generall assemblie, or ony

The King dischargis sindrie articles.

His singular goodness. Sie folio 73.

he is an ancient noblemen, is also chief of the family and surname of the Ogilvyes, and of his family the said Earl of Findlater is descended.' It was accordingly declared, that Sir Patrick should take place and rank only according to the date of the patent in his own favour. (Airlie Writs.)

vther judges compitent, as in the saidis letteris of the dait foirsaid and imprinted at Edinbrugh at lenth wes contenit. Attour his Majestie gave his said commissioner warrand to indict ane generall assemblie, to be haldin at Glasgow the 21st of November, 1638, and ane Parliament to be haldin thairefter at Edinbrugh the 15th of May, 1639; for satling a perfect peace within the kingdome, bothe in churche and policie. Forder the saidis letteris war ordanit to be publishit at the mercat cross of the heid burrowis of Scotland, quhilk wes printit at Edinbrugh by Robert Young, prynter. Sie folio 73.

Ane generall assemblie.

Ane Parliament to follow.

The lordis of counsall haueing considderit his Majesteis gryt goodnes, in granting to them moir nor thay lookit for, and as wold seim moir nor aneuch, thay fand them selfis fullie satisfeit thairwith, and maid ane act thairvpone, promesing to vse thair best meinis to mak his Majesteis haill subiectis rest content thairwith; and all and everie one sould testifie thair thankfulnes for so great a grace and goodness receavit at his Majesteis handis, and to offer thair lives and fortouns in his defenss, and mantenans of religioun; quhilk act wes subscrivit with the saidis lordis handis at Holyroodhouss, 22nd of September, 1638. Sic subscribitur Hammiltoun.

The lordis of counsallis consideratioun.

Thair faithfull promeiss.

Traquhair, Roxbrughe, Marschall, Mar, Morray, Linlithgow, Perth, Wigtoun, Kinghorne, Tullibardin, Haddingtoun, Annandaill, Lauderdaill, Kynnoull, Dumfreiss, South-esk, Belhevin, Angouss, Lorne, Elphingstoun, Naper, Dalzell, Amont, J. Hay, S. Thomas Hope, S^{r} W^{m} Elphingston, Ja: Carmichell, J. Hammiltoun, Blakhall.

Thair subscriptionis. Sie the samen, 319.

Attour, be another act of secret counsall of the same dait, the commissioner foirsaid and lordis of counsall vnanimouslie swore and subscrivit the confessioun of faith, and band off mantenance set doun folios 319 and 325, quhairvpone Schir Thomas Hope, aduocat, in his Majesteis name took instrument.

Ane act vpone there oth and subscriptioun.

Like as the saidis lordis of counsall evin then set out another act, ordaning letteris to be publishit at the heid brughis of Scotland, schowing that his Majestie had indictit ane general assemblie, to be haldin at Glasgow the 21st of November nixt, and to warne the haill archbischopis, bischopis, commissioneris, and vtheris to keip and attend the said assemblie.

Another act of counsall.

Another act of counsall. And by another act of the same dayt letteris ordanit to be publishit in forme foirsaid, declairing ane Parliament to follow at Edinbrugh the 15th of May nixtocum.

And forder, the saidis lordis of secreit counsall causit warne, be oppin proclamatioun, the haill nobles, prelattis, barronis, burgessis, to keip the said parliament.

Another act of counsall. Vpone the 24th of September, the saidis lordis ordanit his Majesteis leiges, of whatsoeuer estait, degrie, or qualitie, ecclesiasticall or ciuill, to sueir and subscrive the said Confessioun and generall band, sie folio 319, and messingeris to mak publicatioun thairof at the cross of Edinbrugh, and vther places neidfull.

Another act of counsall. Like as, be another act of the same dait, the commissioner foirsaid and the saidis lordis gave pouer and commissioun to noblemen, and vtheris within the haill schires of Scotland, to requyre his Majesteis subiectis, of whatsoeuer rank, qualitie, or conditioun, to subscrive said Confessioun of faith and generall band, folios 319 and 325, quhilk Confessioun and band sal be markit and subscrivit be the clerk of counsall, and producit befoir thame to be subscrivit, as ye may sie, folio 68.

The lordis takis panes. Now the commissioner and lordis of secreit counsall haueing takin the panes foirsaid to sie the confessioun, and generall band send doun be the King, to be subscrivit be the Kingis haill leiges, alsweill as thame selfis, had first suorne and subscrivit the samen.

Thay change thare myndis. It fell out schortlie that thay changeit thair myndis contrair thair othis and subscriptionis, alledging in the Kingis confessioun Episcopacie wes abjurit, quhilk wes not, nor wes in the Kingis mynd so to do.

The vniust ressone.

Thay renunce his confession, and adheiris to the covenant. Aluaies thay renuncit the confessioun and band send doun be the King to be subscrivit, sie folios 319 and 325, and adheris to the confession and covenant, abjuring Episcopacie, sie folio 78, to the greif of the King and wrak of this countrie, as ye may heir.

The Kingis goodness misregardit. Albeit it is weill sein his Majestie to give them content grantit diuerss ordouris, pairtlie to his owne preiudice and aganis standing lawis; done as wes thocht be persuasioun of the Marques of Hammiltoun,

He is traittourit. moir faithfull to the covenanteris nor to his loving maister the King, by craft and vnpareld policie, quhairof his Majestie had neuer informatioun.

The covenanteris will not be pleissit, as haifing a deipar proiect. Aluayes our covenanteris culd not be pleissit whill thair covp war full, conforme to the conclusioun betuixt thame

and the malcontentis of England, cvninglie and obscurelie covenantit, as may heirefter appeir, and quhairof you haue hard sumwhat befoir, folio 43.

Ar not pleissit whill both they and England gat there haill will.

Aluayes the lordis leaves the Kingis covenant, folio 75.

Quhairvpone the lordis leavis the Kingis confessioun and band.

The covenanteris wnderstanding of thir haill proceidings laid compt befoir the incuming of this generall assemblie, to bear doun Episcopacie, and to that effect drew wp 7 articles and send to the moderatouris of the haill presbitreis of Scotland standing to there opinioun, quhairof the tennour followis:—

The covenanteris policy aganist the bischopis, befoir the assembly. Thay draw wp 7 articles aganis thame, and for chuseing of commissioneris, &c.

1. If any man enter in process with ministeris erroneous in doctrein or scandallous in lyf, that thay be not chosin comissioners; and if the presbitrie refuse thame process, that thay protest aganist there refusearis, and thairefter aganes the electioun of these ministeris to be commissioneris, and therevpone to tak instrumentis and to extract the same.

2. To have ane speciall cair that informatiouns be tymouslie maid aganes everie bischop, with the sure evidenceis thairof, anent there miscareages in sindrie presbitreis, and heighe commissioun, vrgeing interrantis to subscribe vnwarranted articles, receaveing of brybis from interantis, staying of censur aganist papistis, giveing licenss to marie without bandis; the profanity of there owne lives, by drinking, hureing, carding, dyceing, braking of the Saboth, the purchess of there bischoprikis be brybes, thair vnhonest dealling in civill barganes, and abuseing of there vassallis: all these and suche like commoun to all or proper to any.

3. To remember the ministeris to be reddy for disputatioun about the heidis quhilkis are like to be exagitat at the assemblie, as *De episcopatu; De senioribus; De deaconatu; De potestate magistratus in ecclesiasticis, presertim in convocandis consilijs, et qui debent interesse in consilijs; De ciuili jurisdictione ecclesiasticorum eorumque officijs ciuilibus; De rebus adjaphoris, et potestate magistratus in illis; De liturgia prescripta; De ritibus ecclesiæ, seu liturgie Anglicane; De juramento; De corruptelis liturgie Scoticane cannonum; De quinque Perthensibus articulis.*

4. To chuse thrie commissioneris in every presbitry whair thay can be had weill affected, and to vse all meinis how few can be chosin in evill disposed presbitreis. Let well affected barronis and ministeris nixt adjacent indevour for this.

5. Consultatioun wold be had be the best affected amonges thame selffis befoir the electioun, that in the choosing thair voices be not divydit, bot may condiscend togidder vpone the same persones.

6. To vse all meinis for eschewing in the electioun, alss far as may be, chapdourmen who haue chosin bischopis; these who haue sittin in the heighe commissioun; chappellmen who haue countenanced the chappell ceremoneis and novationis; all who offerit to reid and practeis the seruice book [and] buke of canonis; and ministeris who ar justices of peace, althogh thay haue subscrivit the covenant, unless thay haue

desistit and acknowledgit the vnlauchfulnes of there former dealling, becaus these and suche like wilbe reddie to approve these corruptionis in the assemblie.

7. That where ane pryme nobillman and weill qualefeit gentilman may be chosin in sindrie presbitreis, that he be chosin in that presbitrie where thair is grytest scarsitie of able men.

Heir I leave thame quhill folios 71, 72, 75. The bischopis ar abolished and excomvnicat, folio 76, folio 80, thay ar all deposit but not all excomvnicat.

His Majesteis letters publishit at Edinbrugh, dischargeing the seruice book, hie commissioun, &c.

Now his Majesteis letteris of the dait at his court of Oatlandis, the nynt of September, 1638, ar publishit, red, and proclameit at the cross of Edinbrugh, dischargeing the seruice book, book of cannonis, and hie commissioun, and dispensing with the fyve articles of Perth; that the minister at his entrie sall give no vther oath bot sic as is contenit in the actis of parliament, commanding also the lordis of privie counsall and all his good subiectis to subscribe and renew the Confessioun of faith; with warrand to indict ane generall assembly, and thairefter ane parliament, and that his Majestie (with the rest) forgave all bygones, and ordanit a solempne fast. Bot oh, for pitie, this gratious proclamatioune wes not acceptit nor allowit, bot contrarie way solemplie protestit aganes:

This proclamatioun gat no obedience.

For howsone thay war red, thair compeirit at the said mercat cross diuerss and sindrie nobillmen, barronis, gentilmen, burrowis, ministeris, and commouns with ane protestatioun in writ (thairefter printed) aganes the said proclamatioun, quhilk wes maid vpone the 22nd of September, and immediatlie thairefter protestatioun wes maid as said is, red out of wreit be Mr. Archibald Johnstoun publictlie, saying that the seruice book and book of cannonis ar not so far dischargit as thay haue bein vrgit by preceiding proclamationis, whiche gave approbatioun to the saidis bookis; that the practeiss onlie of the Perth articles ar dischargeit or dispensit with; that prelatis war warnit to keip the generall assembly, contrair to the actis of the kirk and there declinatour, and there owne supplicationis, craveing ane frie generall assemblie without limitatioun, vseing diuerss ressones therefoir: thay planelie refuse the subscriveing of the Kinges covenant, and gives the ressones thairfoir: That archibischopis and bischopis sall haue no place nor voice in the

Protestatioun maid aganist the samen by multituds of people.

Thair reasonis.

Thay refuse to subscrive the Kingis confession and band.

assembly, nor that thay be not present, bot as *Rei* to compeir to wnderly tryell and censure in lyf, office, and benefice: That none who have subscrivit the first covenant be charged or vrged, either to procure the subscriptionis of otheris or to subscrive thair selffis vnto any other confessioun or covenant, and maid appellatioun fra the lordis of counsall to the nixt frie generall assemblie and parliament, as the onlie suppreme nationall judicatoreis competent, &c.: That no subscriptioun, whidder by the lordis of counsall or vtheris, be nowaies preiudiciall to the first covenant, &c.: With all warning, and exhorting all men to hold thair handis from all vther covenantis till the nixt generall assemblie, for saiffing the countrie from contrarie oathis: That as to the Kinges forgivenes thay protest what thay had done wes lauchfull, &c.

Thair ressons aganis bischops, and subscriving of the confessioun.

Thair appellatioun.

That no subscriptioun be preiudiciall to the first covenant.

Thay exhort all man to hold thair hand fra vther covenantis, and holdis thay haue done no wrong to be forgivin.

Thus is this protestationis publictlie red out be the said Mr. Archibald Johnstoun, wherevpone James Erll of Montross, &c., in name of the noblemen, &c., Maister Alex^{r} Gibsoun younger of Durie, in name of the barrons, George Porterfeild, merchand, burges of Glasgow, in name of the burrowis, Maister Harie Rollok, minister at Edinbrugh, in name of the ministeris, and the said Mr. Archibald Johnstoun, reidar, in name and behalf of all who adheir to the confessioun of faith and covenant laitlie renewit within this kingdome, took instrumentis in the handis of thrie notaris present at the said marcat cross of Edinbrugh, befoir many hundreth witnessis; and what his Majestie had most gratiouslie done, yea, and forgivin, as is formerlie said, and plesandlie acceptit be the lordis of privie counsall, is altogidder misregardit be thir covenanteris, and nowayis acceptable vnto them, as be the particular condiscendanss contenit in thair imprinted protestatiouns most lairgelie do appeir. Aluayis, efter taking instrumentis vpone thair protestationis, ilk man dissolues and gois sindrie getis.

Instrumentis takin vpone thir protestationis.

The Kingis goodness misregardit and lichtleit.

Thay dissolue fra the cross.

Ye sie, folio 65, of ane act of counsall maid anent the Kingis proclamatioun to all his subiectis to subscrive the confessioun of faith, and band of mantenans. The samen wes directit out amonges the rest to the Marques of Huntly, the Erll Marschall, the Erll of Kingorne for him self, and as tutour to the Erll of Erroll, the Lord Forbes, the Lord Fraser, and laird of Drum, commissioneris coniunctlie and seuerallie for the schire of Abirdein; and to the

Ordour fra the Kingis commissioner, and counsall, to the Marquess of Huntlie, the Erll Marschall, the Erll of Kingorne, the Lord Forbes the Lord Fraser, &c., to go to seueral schires, and caus the people subscrive the confessioun and band, &c.

said Marques of Huntlie, the Erllis of Marschall and Fyndlater, for the schirefdome of Banf; and to the said Marques of Huntly, the Erll of Seafort, the Lord Lovat, the lairdis of Grant and M^cIntoshe, all coniunctlie and seuerallie, with pouer to them to pas to the seuerall boundis aboue writtin, and to exhibit the said confessioun of faith and band aboue specefeit, marked and subscrivit be the clerk of counsall, and to requyre all his Majesteis leiges of whatsoeuer rank and qualetie to subscrive the samen, and to mak report of thair diligens betuixt and the 13th day of November nixt.

And to report thair diligence.

The Marquess of Huntlie acceptis.

Howsone the lordis of Counsall and his Majesteis heighe commissioner send this proclamatioun, with the covenant aboue expremit, to the lord Marques of Huntlie, most humbly and willinglie acceptit the charge, (albeit the rest of the commissioneris throw the haill thrie schyres refusit ilk schirefdome efter vther) and in peciable maner, vpone the 4th of October being Thuirsday, cam to New Abirdein accompaneit with his tuo sones the Lord Gordon and Lord Oboyne, the laird of Cluny, and sindrie vther barronis and gentilmen, and produceit and exhibit the confessioun of faith and band aboue expressit, in presens of the tounes people convenit to that effect, who veray willinglie subscrivit the samen, (except sic as war covenanteris) vpone paper coppeit from the print.[a]

The haill rest refuisis.

He cumis to Abirdein in quiet maner.

Purchessis many subscriptiouns.

Vpone Frydday 5th October he send John Spenss, Rothesay

[a] The Marquis of Huntly, and Sir Alexander Irvine of Drum, as commissioners appointed by the Marquis of Hamilton, required the provost and baillies to subscribe the Confession of of faith, dated in 1580, with the general bond for the maintenance of true religion, dated in 1589; and also to convene the whole inhabitants of the burgh, for the purpose of subscribing these documents. This was accordingly done, and the provost, Mr. Alexander Jaffray, 'for remoweing all scrupill out of the mynds of the people, desyred Doctor Robert Barroun, and Doctor James Sibbald, twa of the tounes ministeris, to subscrywe the said confession and band, who, befoir thay gave thair subscriptionis, declared and protestit befoir God and all men that wer present, that they wer to subscrywe the said confessioun, as it condemneth and abjureth all popish erroris, idolatrie, and superstition, reallie and indeed repugnant to God's holy word; and that thay do not wnderstand Perth articles, and Episcopall government, or any doctrine, rite, or ceremony not repugnant to Scripture, or to the practice of the ancient or moderne reformed and sound churches, or to the confessioun of the Churche of Scotlande, registrat in the acts of Parliament to be condemned and abjured in it; and desyred that ane act sould be sett doune, and enacted heirwpoun, in perpetuall evidence and testimonie of this thair conceptioun, and vnderstanding of the foirsaid oath. (Council Reg., vol lii. p. 413.)

herauld, with his cot armes to the marcat cross of Abirdein, to publish the proclamatioun aboue expressit; bot there wes standing vpone the cross attending the same, the Lord Fraser and maister of Forbes, with thrie notaris callit Robert Keith, Mr. Alex^r Forbes, and Mr. James Cheyne, with mvltitudes of people about them. The herauld seing sic conventioun before he began his proclamatioun, chargit them in the Kingis name to go doun from the cross, quhilk thay obeyit, and stood vpone the get hard besyde. Howsone the people wes put af of the cross, the lord Marques cums fra his lodging with his awin sones and freindis, and the laird Drum, schiref of Abirdein, as ane of the foirsaidis commissioneris, and ascendit wp the cross, standing besyde the herauld and all his company bairheidit. The drum toukit, and the proclamatioun publishit, quhair the Lord Fraser and maister of Forbes with there notaris cam to heir at the same syd of the cross quhair thay stood first. The proclamatioun endit, the Marquess gave ane gryte shout saying *God saif the King*, syne peciablie left the cross; bot immediatlie the Lord Fraser and maister of Forbes cam to the same place whair the Marques stood, and maid protestationis aganes the samen set doun in wreit, and took instrumentis, throwing the paper quhairon the protestationis wes writtin out of his hand in the air, and gave also ane gryte shout saying *God saif the King;* bot the people cryit out with gryte joy at the Marques schout, bot few or none cryit out with the Lord Fraser; the Marques standing luiking out at Petfoddellis foir lodging beholding thair protestationis. Aluaies thay went to there lodginges.[a]

Proclamatioun maid at the cross of Abirdein, quhair the Marquess was present.

The Lord Fraser and maister of Forbes makis protestatioun aganis the samen.

Thay tak instrumentis vpon thair protestationis.

Thay go to thair lodgingis.

Vpone Mononday the 8th of October, the Marques cam over to the bischopis hous of Old Abirdene, where the bischop himself wes

The Marquess cums to the old toun.

[a] 'The said noble Marques signifiet to the saids prowest and baillies, that, by warrant from the lord Marquis of Hamiltoun, his Majesties commissionar, and lordis of privie counsall, he was to caus ane of his Majesties herauldis proclaime this day, at the mercat croce of this burghe, his Majesties declaratioun foirsaid; and thairfoir desyred the saids prouest and baillies, with thair tounes counsell, and otheris most respective nichtbouris of the toune, to be present at the said proclamatioun. Whairwnto the saids prouest and baillies most hartielie and willinglie condiscendit, promising to attend the said proclamation, and to applaud the same with most joyfull acclamatiounes, for such reall expressions of his Majesties most gracious favour and goodness, bestowed wpoun this his ancient kingdome, for setling of the peace thairof both in kirk and state.' (Council Reg.)

The bischop, principall, regentis, gentrie, and commonis subscrives, except Mr. John Lundie, gramariar, sie folio 81.

present, principall, regentis, and haill bodie of the toune wes convenit, and thair causit publictlie reid out the foirsaid confessioun of faith and band of mantenans quhilk wes imprinted; and, as ye may heirefter sie, folio 319, set doun word be word. Efter reiding quhairof, the bischop, the principall, the regentis, gentrie, and haill commonis of the toun willinglie obeyit, and subscrivit the samen; whose names wes (besyde thair subscriptionis) wrettin and nottit vpone ane vther paper.

The Marquess sendis ane herald to Innerniss and Banf, syne rydis home.

Quhilk being done, the Marques rode from Abirdene vpone the nynt of October, and directit the foirsaid herauld with the tounes drumier to Banf and Innerniss to mak the same publicatioun, with ane discreit man to receave the peoples subscriptionis, bot no obedience wes gottin thair, bot protestationis and instrumentis takin as is formerlie said; And this noble Marquess wes evill rewardit for all his panes, as efter ye sall heir. Aluayes he reportit his diligens to the lordis of counsall befoir the 13th day of November, bot Mr. Johne Lundie, maister of the Gramar Scooll, subscrivit not this covenant, sie folio 81.

No obedience, bot protestations and instrumentis still takin.

The Marquess reportis his diligens, and gat littill thankis.

The King lyks Abirdein and thair doctoris.

It wes reportit that his Majestie lykit well of the toune of Abirdein, and thair doctoris constancey of bothe Abirdeines. Whairvpone he makis new Abirdene schireffis within tham selfis, whiche thay neuer had befoir, and that heritably. He gave them the superioriteis of the haill temple landis within there brughe, and ratefeit thair haill liberteis in ample forme.[a] Bot deir wes thir favoris bocht, as ye may heirefter sie at diuerss pairtis of this story.

The toun is maid schireffis, and getis vther fauoris deir bocht.

The doctoris of Abirdein desyrit to go to this assembly, bot none went for feir.

It wes said the King wreit to our doctoris of Abirdene to go to this ensewing generall assemblie, and to contribute thair best affectionis for satling of all materis, and that the Marques of Huntlie (aduertesit by the commissioner his grace) desyrit them also to be in reddiness, bot none obeyit for plane feir. Aluaies thair wes chosin commissioneris, doctour Barron and doctour Sibbald, doctour Goold and Mr. Dauid Lyndsay, persone of Balhelvie, for the presbitrie and brughe of Abirdein, bot none went except doctour Goold and Mr. Dauid Lyndsay; with whome went also Mr. Johne Lundie, maister of the Gramer Scooll, and commoun procuratour of the

Commissioneris fra the presbitrie of Abirdein.

Doctour Goold, Mr. Dauid Lyndsay, Mr. James Hervie, went. Mr. Johne Lundy for the college.

[a] The charter by which these privileges were conveyed or ratified, is dated at Oatlands, 9th September, 1638.

Kingis Colledge, for sic effaires as concernit thame, and to ansuer to sic complaintes as hapnit to be givin in aganist the principall or memberis thairof, bot had no more commissioun; bot he went beyond his warrand as ye may sie, folio 71. Mr. James Hervie, minister at the New Kirk, went also commissioner for the doctoris of Abirdein, and antecovenanting ministeris within the presbitrie of Abirdein.

The laird of Frendraucht, in this moneth of October, maliciously laid on thrie seuerall summoundis aganes the Marques of Huntlie, as air to his vmquhill father; ane thairof to heir ane decreit transferrit of 200,000 merkis for his skaith sustenit be the licht horss men; ane vther to heir and sie ane decreit transferrit for 100,000 merkis, for spoliatioun of the teind scheavis off Drumblait; the thrid to heir and sie ane decreit transferrit for making of ane new tak of the saidis teyndis; quhilkis decreitis had bein obtenit befoir at Frendrachtis instans aganes the Marques father, bot litle followit vpone thir charges.

The laird of Frendracht trublis the Marquess of Huntly.

Vpone the thrid Tuysday and 16th day of October, the provinciall assemblie sat doun in the Colledge kirk of Old Abirdein. The bischop wes present, and many covenanting and antecovenanting of the ministrie wes thair. Thomas Crombie of Kemnay, and Mr. Williame Dauidsone, schiref deput of Aberdein, cam thair direct fra the Marques of Huntlie to the bretheren, to subscrive the Kingis covenant and band. Sum obeyit, sum refuisit, and sum gave delaying ansueris; at last thay dissoluit in peace.

The provinciall assembly in Abirdein.

The bischop was present.

The Marquess sendis to subscrive the Kingis confessioun and band.

Thair ansueris.

Vpone Sonday the 28th of October, the parochineris of Sanct Maucher [wer] warnit efter sermon be the reidar to cum in on Wednisday nixt, and subscrive the Kingis covenant and band of mantenans, bot few cam: and siclike ane fast proclamit to be keipit on Sonday thairefter, before the doun sitting of the generall assemblie, quhilk wes solempnlie keipit.

Warning to Maucher paroche to subscrive the confessioun and band: few cam.

Ane fast proclamit.

Vpone the first day of November our soueraigne lordis sessioun sat doun in Edinbrughe, bot thair wes litle ado. Many of the lordis of sessioun, except Craighall, Durie, Cranstoun, and Innerteill, subscrivit the Kingis covenant.

The sessioun sittis doun in Edinbrugh.

Now the covenanteris ar cairfull to try what complaintes or faultis could be found in the bischopis, and speikis out many thinges

Complaintis aganis the bischopis.

against them, whiche drew thair names to be odiouss amongis the commoun people. Amongis the rest, the maister of Forbes movit sum complaintis aganes the bischop of Abirdein, his awin father brother vpone the mother syde, befoir the presbitrie of Aufurd and Turreff; referit to the generall assemblie, and the bischop warnit thairto.

Quein mother cums to London.

In this moneth of November, Quein mother cam weill convoyit out of France to London. Scho wes weill receavit, and honorablie intertynneit vpone the Kingis charges; who wes also thocht to be no good instrument in the trubles following, sie folio , scho being ane Romane Catholik.

The Erll off Mar disponis his constabularie of the castell of Edinbrugh.

It is overwatchit by the covenanteris.

About this tyme the Erll of Mar, constabull of the castell of Edinbrughe, disponit his richt of the samen constabulary, as is supposit, to the Marques of Hammiltoun. Aluaies it is still overwatchit be the covenanteris, sie folio 52, suffering nothing to be importit thairin but at thair discretioun; bot how, or whom too, this dispositioun wes maid be Mar is yit vncertane, bot he quytis the place.

Proclamation maid at the cross of Edinbrugh, discharging convocatioun of the Kingis leigis to this assembly.

Vpone the 16th day of November proclamatioun maid at the cross of Edinbrugh, dischargeing convocatioun of the Kinges leiges to cum to the nixt ensewing generall assemblie; and none to cum thair bot the chosin commissioneris and thair ordinar seruitouris, and that in peciabill maner, not with forbiddin wapins, as hagbutis, pistollis, and suche lyke, wnder the pane of tressoun; bot the covenanteris protestit aganes the samen, saying it wes lauchfull for all man, vpone his awin charges, to resort to ane nationall assemblie for instructing of thair myndis in materis of religioun, and it wes lesum to thame to weir forbiddin wapins, alsweill as the rest of thair contrarie factioun did. Thus, without regaird to the Kingis proclamatioun, thay went on as [thay] pleissit, contrair the Kingis proclamatioun.

Protestationis maid aganis the samen.

The bischopis ar citit befoir the presbitrie of Edinbrugh.

The causs and complenaris.

In the meintyme, befoir doun sitting of this assemblie, the haill archibischopis and bischopis ar citit to compeir befoir the presbitrie of Edinbrugh, to ansuer to the complaynt of Johne, Erll of Sudderland, Johne, Erll of Atholl, and diuerss vtheris noblemen; and at the instans of sindrie barronis, churchemen, and burgessis. The complaint wes odiouss if it had bene trew, groundit vpone corrupt

doctrein, poperie, Armenianisme, superstitioun and will worschip, of evill lyf, and many other pointes. Thay ar callit befoir the presbitrie of Edinbrugh, who culd not weill be judges; and inrespect of thair not compeirans, this complaint is referrit to the generall assemblie, befoir whome thay durst not compeir for feir of thair lives, albeit the King had commandit them to cum. The complaneris of set purpoiss wes haldin out as commissioneris, to the effect thay micht compeir as pairties; and vpone the nixt Saboth, being the 28th of October, the said complaynt wes red out of all the kirkis of the presbitrie of Edinbrugh to mak the bischopis odiouss, and thairwith warnit thame to compeir befoir the generall assemblie haldin at Glasgow the 21st of November, according to ane act of the said presbitrie, whiche wes schort citatioun aganes mony of the saidis bischopis duelling far distant, sie folios 75, 76.

The complaynt.

Thay ar callit, bot comperis not.

Thay ar referrit to the generall assemblie. Yit durst not compeir.

The complaineris ar not commissioneris.

The complaint is red out of the kirkis of the presbitrie of Edinbrugh, and thairwith the bischopis ar warnit to compeir befoir the assemblie.

Vpone the 21st day of November, James, Marquess of Hammiltoun, &c., his Majesteis commissioner, and haill lordis of counsall, with mony vther nobles, barronis, burgessis, and clergie convenit in Glasgow, the covenanteris bodin in feir of warr. The most auncient preicher of the toune preichit within the Heiche Churche of Glasgow on the morning, and efter sermon, out of pulpit, desyrit all present to begin the actioun by chuseing of ane moderatour.

The commissioner, noblis, clergy, convenis in Glasgow.

Sermon maid.

Weill, within the said Hie Churche, the assemblie thairefter sitis doun; the churche durris wes straitlie gardit by the toune, none had entress bot he who had ane taikin of leid, declairing he wes ane covenanter. Thair cam out of ilk presbitrie within the kingdome to this assemblie, ane, tua, or thrie of ablest covenanting ministeris, with ane, tua, or thrie reulling elderis, who sould voice as thay voiced.

The assemblie sitis doun, and gardit 21st November.

None had entress without ane taikin.

The commissioneris and lay elderis.

Now all being set, the durris cloisit and guardit, efter prayer, as vse is, thay begin to chuse ane moderatour: bot first, the commissioner desyrit his commissioun to be red, quhilk wes done, and that day dissoluit. The nixt day the moderatour is vrgit: bot first, the commissioner desyrit his Majesteis letter send to thame to be red, quhilk wes done, and then fell vpone ane moderatour; bot doctour Hammiltoun, minister at Glasfoord (haueing by moyan win in) standis wp as commissioner for the archibischopis of Sanct Androiss and Glasgow, the bischopis of Edinbrugh, Galloway, Ross, and

The order and progress of this assemblie.

Doctour Hamiltoun compeiris for sum bischopis, and propones declinatouris in wreit.

Brechin, be virtue of thair subscrivit warrand, daitit at Holyroodhouss, Newcastell, and Glasgow, 16th, 17th, and 20th dayis of November, 1638; and presentit vnto the commissioneris grace declinatouris in paper aganis the vnlauchfulnes of this assemblie; and desirit the same to be red, quhilk wes refuisit quhill first the moderatour suld be chosin; quhairvpone the commissioner and the said doctor Hammiltoun bothe took instrumentis in the handis of the Clerk Register, and protestit aganis any sic electioun, and that the samen suld not be preiudiciall to the King nor lawis of the kingdome. Mr. Alex[r] Hendersoun wes chosin moderatour, and the assemblie bookis had to Edinbrugh be Mr. Thomas Sandilandis, and fra that to Glasgow, whiche gave them informatioun how to reull bischopis. His fayther wanted the clerkship, bot wes soundlie payit of his pensionis out of the bischoprik of Abirdein, as is heirefter, folio , for sending of thir bookis. Bot Mr. Archibald Johnstoun wes chosin clerk in his place. The moderatour and clerk chosin, the commissioner desyrit the Erll of Traquhair, Thesaurer, the Erll of Roxbrughe, Lord Privie Seall, the Erll of Argile, the Erll of Laverdaill, the Erll of Southesk, all Lordis of Secreit Counsall, and Schir Lues Steuart, aduocat, to be joynit with him as assessouris, and to haue voice as he had in materis questionable, as wes vsit in vmquhill King James tyme: Bot this desyre wes absolutlie denyit, saying his grace had pouer to consult with his assessouris, bot suld haue no voice in the assemblie; and if the King him self war thair, he sould haue bot ane voice, and that not negatiue nather, moir nor affirmatiue, than any one member of the assemblie had. Mervallous to sie, quhairof the like wes neuer refusit abefoir at our Scottish generall assembleis: Bot this article wes foirsein by the tables at Edinbrugh, and ordour givin to refuse the samen, whiche the commissioneris grace beheld patientlie. The 4th day thay began to reid thair seuerall commissionis. The 5th day thay went on in thair electionis. The 6th day, being the 27th of November, the commissioner vrgis agane the reiding of the bischopis declinatouris and protestationis, whiche wes done be Mr. Archibald Johnstoun the clerk; quhairat thair wes muche laughter be the bretheren, and muche ressoning betuixt thame and the commissioneris grace. Vpone the morne, the moderatour de-

It is refuisit, and why.

Instrumentis takin, protestationis maid.

Mr. Alexander Hendersone is maid moderatour.

The assemblie bukis careit to them. Mr. James Sandilandis wantis the clerkschip, yit getis good payment.

Mr. Archibald Johntoun is chosin clerk.

The commissioner desires assessouris, and is denyit.

Nota.

The commissioner beheld all.

Thair order.

The bischopis declinatouris ar red.

Thair assueris ar desirit to be red.

sirit the clerk to reid thair ansueris to the saidis declinatouris, and concludes to establish thair generall assemblie as ane lauchfull judicatorie aganist bischopis, without the Kingis auchtoritie or consent of his commissioner, who maid still oppositioun aganis the samen. And fynding lay elderis brocht in to give voices in the said assemblie, as the ministeris whome thay had chosin commissioneris befoir thame wold voice, and no assessour grantit to the King; and that the bischopis war cited to compeir befoir sic judges as wes thair mortall enemeis; for thir ressones, and vtheris disorderis of this assemblie, the commissioner apeirit to becum impatient, and requirit and commandit them, in his Hines name, not to proceid any further, and to say prayer and dissolue this assemblie; protesting what thay had done or sould do micht nowayes touche the Kinges prerogatiue or oblege his subiectis, nor that thair assemblie actis sould be esteimit lauchfull bot declairit null. Bot the moderatour desyrit his grace to forbeir to dissolue thair assemblie in simvlat maner, and with all to heir thair ansueris aganes his protestatioun; quhairof it appeiris thay war weill aneuche acquent. The commissioner refuisit to heir the samen red, and commandit thame to ryss wnder all hiest panes, quhilk thay planelie disobeyit, and sat still; quhairvpone he suddantlie startis wp and gois to the dur (whome the lordis of counsall followit) leaving thair clerk reiding thair ansueris; and immediatlie causis ane herauld go to the Cross of Glasgow in his cot armes, with ane proclamatioun maid wp be him and the lordis of secreit counsall, and subscrivit with there handis and givin wnder his Majesteis signet, daitit the 29th of November; and be sound of trvmpet dischargeit the said generall assemblie, and in his Hines name commandit the said pretendit moderatour, commissioneris, reulling elderis, and all vther memberis thairof, not to treat, consult, or conclude any farder in the said assemblie, wnder the pane of tressoun, and that thay sould ryss wp and dissolue out of the toune of Glasgow within 24 houris, dischargeing also all his Majesteis good subiectis from giveing obediens to thair pretendit actis, as in the letteris raisit thairanent moir fullellie proportis; and the commissioner, standing at the cross, heirvpone took instrumentis. Bot the covenanteris protestit and took instrumentis in the contrair, saying his Majestie had in-

The assembly establishit as ane lauchfull judicatory.

The commissioner is offendit for diuerss ressonis.

Dischargis the assemblie.

His protestatiouns.

The moderatouris ansuer.

The commissioner commands thame to ryss.

Thay disobey, and sitis still.

The commissioner removis.

The lordis of counsall followis.

He dischargis the assemblie at the cross.

That thay suld dissolue wnder the pane of tressoun.

His Hines subiectis not to obey them.

Instrumentis takin.

The covenanteris takis instrumentis also, and protestis.

dictit this generall assemblie quhilk he nor his commissioner culd not dissolue agane without consent of the same assemblie.

Thir letteris ar send to Edinbrugh, with his awin declaratioun.

Aluaies the commissioner directis the samen letteris to be publishit at Edinbrugh, and sendis his owne declaratioun thairwith; and siclike to the Marquess of Huntlie to causs publish as heirefter do appeir, syne gois to horss touardis Hammiltoun; bot at his vnlouping the Erll of Argile, the Erll of Rothass, and Lord Lyndsay, thrie pilleris of the covenant, had sum privie speiches with him, quhilk drew suspicioun that he wes on thair way, folio .

Protestationis maid aganis the samen be covenanteris.

He sendis to the Marquess of Huntly.

He gois to horss; sum nobles speikis with him. He is suspect.

Heir it is to be markit that thair wes ane act of counsall, daitit at Holyroodhous the 24th of September, 1638; quhairof the tennour followis:—

Ane act of counsall ordaning the Kingis confessioun to be subscrivit.

The whiche day ane nobill Erll, James, Marquess of Hammiltoun, &c., his Majesteis commissioner, haueing produceit befoir the lordis of secreit counsall, vpone the 22nd of this instant, a warrand signetit by his Majestie, of the nynt of September, whairin, amongis vtheris of his Majesteis gratious and royall expressionis for preseruatioun of the puritie of religioun, and dew obedience to his Majesteis auchtoritie in the mantenans thairof, his Majestie did will and ordane that the lordis thame selfis sould sueir the confessioun and generall band mentionat in his Majesteis said warrand, and also sould tak suche ordour as all his Majesteis subiectis may subscrive the samen. And the saidis lordis of counsall, acknouledgeing his Majesteis pious and gratious dispositioun and affectioun to the puritie of Godis treuth, did, vpone the 22nd of this same instant September, vnanimouslie and with all humill, hairty, and sinceir affectioun sueir and subscrive the Confessioun of faith, daitit the 2nd of Marche, 1580, according as it wes then professit within this kingdome, togidder with the foirsaid generall band, daitit in anno 1589. And now, to the effect that all his Majesteis leiges may give the lyk obediens to his Majesteis so pious desire, thairfoir the saidis lordis haue ordanit and ordanes all his Majesteis leiges, of whatsoeuer estait, degrie, or qualetie, ecclesiasticall or civill, to sueir and subscrive the said confessioun, daitit the 2nd of Marche, 1580, and that according to the said dait and tennour thairof, and as it wes then professit within this kingdome, togidder with the said generall band, daitit in anno 1589, as thay will ansuer at the contrary vpone thair obediens; and ordanes officiaris of armis to pas to the Mercat Cross of Edinbrugh and mak publicatioun thairof, and vther places neidfull.

The covenanteris alledgis by this act Episcopacie is abjurit.

Vpone this act, the covenanteris alledgit that the foirsaid Confessioun of faith wes wnderstood to be (as it wes then professit and receavit when it wes maid), and that in that confessioun defenss, both of doctrein and disciplyne then establishit, is suorne; at whiche

tym episcopall government being (as thay alledgit) abolishit, it must neidis follow that the same government is by this lait othe abjured.

This act, so set furth to give contentment, turns oure covenanteris quyte contrary to the Kingis opinioun, who still mantenit episcopacie, as ye haue, folios 64, 65. And thay set to beir thame doun *simpliciter*, and that this act sould cary the sens of abiureing episcopacie. Quhairat the commissioneris grace set out ane declaratioun in print, pvrging him self of any suspicioun culd aryss from the said act, and mantaneing episcopacie to be gude and lauchfull; quhilk imprinted declaratioun he causit publish and spred, to mak his owne pairt good at his maister the Kingis handis; albeit he wes wnder deidlie suspicioun to be on the covenanteris courss, as heirefter wold appeir, folio .

The covenanteris contrair to the Kingis mynd.

The commissioner setis out ane declaratioun, pvrging him self.

The Marques of Hammiltoun rydis directlie fra Glasgow to Hammiltoun, and haistellie wreittis to the King [of] the generall assemblie, with his awin haill proceidinges, quhair I will stay a while whill folio 76, and returne to the generall assemblie. Thay sit still, and mony fleis hame for feir of the proclamatioun, sic as Johne Kennedy of Kermvk, a reulling elder of the presbitrie of Ellon, Mr. Johne Annand, persone of Kynnoir, Mr. Androw Logie, persone of Rayne, Mr. Joseph Broddie, minister at Keith, Mr. Thomas Thoiris, minister at Wdny, Mr. Johne Watson, minister at

and diuerss vtheris; bot thair removeing wes markit and forsit to yield, as ye haue, folio .

He wreitis to the King.

The assemblie sitis still.

Sum gois home throw feir.

Thay ar forsit to yeild.

Mr. Johne Lundie, as ye haue, folio 69, being send over as agent for the colledge of Auld Abirdein, to attend sic effaires as hapnit to occur concerning them, went beyond his commissioun, and gave in ane petitioun to the assemblie, desyring Mr. James Sandilandis, cannonist, the cantour, choristis, and cheplanis to be removit as vnnecessary memberis, leiving vpone the colledge rentis, brocht in aganis the Kingis foundatioun. It wes hard, and ane committe appoyntit to viseit the said colledge, as ye haue, folio 85.

Mr. Johne Lundy exceidis his commissioun.

His petitioun.

Ane committe apointit to visie the College.

The assemblie gois on, and abolishis the haill bischopis of Scotland be thair actis as followis:—

The assemblie gois on.

The generall assemblie haueing hard the complaintis and libellis givin in aganes Mr. Johne Spotiswod, archibischop of Sanctandrois pretendit, Mr. Patrik Lyndsay,

The bischopis abolishit.

The first act. The bischopis of Sanctandrois, Glasgow, Edinbrugh, Abirdein. Galloway, Ross, Brechin, Dumblane, abolishit, and ordanit to be excomvnicat.

pretendit archibischop of Glasgow, Mr. Dauid Lyndsay, pretendit bischop of Edinbrughe, Mr. Adam Bellenden, pretendit bischop of Abirdein, Mr. Thomas Sanserf, pretendit bischop of Galloway, Mr. Johne Maxwell, pretendit bischop of Ross, Mr. Walter Whytfurd, pretendit bischop of Brechyn, and Mr. James Wedderburne, pretendit bischop of Dumblane: Thairfore the said assemblie hath ordanit these pretendit bischopis to be deposit; and by thir presentis deposis them not onlie of the office of commissionary, to haue voit in parliament, counsall or conventioun, in name of the kirk, but also of all functionis, whidder of pretendit Episcopall or ministeriall calling; declaireth them infamous; and likuaies ordanes the saidis pretendit bischopis to be excomvnicat, and declairit to be one of those quhom Christ commandeth to be haldin by all and everie one of the faithfull as ethnikis and publicans; and the sentence of excomvnicatioun to be pronuncit by Mr. Alexr Hendersone, moderatour, in face of the assembly, in the heiche kirk of Glasgow, and the executioun of the sentens to be intimat in all the kirkis of Scotland, by the pastoris of everie particular congregatioun, as thay wilbe ansuerabill to thair presbitreis and synodis.

Intimatioun to be maid, and maner how.

The secund act.

And siclike, be another act of the said assemblie, as followis, viz.:—

The bischops of Dunkeld, Morray, Orknay, Lismoir, Iles: Thair depositioun.

The generall assemblie haveing hard the libellis and complayntis givin in aganes Mr. Alexr Lyndsay, pretendit bischop of Dunkeld, Mr. Johne Guthrie, pretendit bischop of Morray, Mr. Johne Grahame, pretendit bischop of Orknay, Mr. James Fairly, pretendit bischop of Lismoir, Mr. Neill Campbell, pretendit bischop of the Iles: Thairfoir ordanes the saidis pretendit bischopis to be deposit; and by these presentis deposis them not onlie of the office of commissionarie, voit in parliament, counsall or conventioun, in name of the kirk, bot also of the functionis, whidder of pretendit Episcopall or ministeriall calling; and likuayes, incace thay acknouledge not this assembly, reuereness not the constitutionis thairof, and obey not the sentens, and mak not thair repentanss conforme to the ordour prescrivit by this assemblie, ordanes them to be excomvnicat, and declairit as ethnikes and publicanis; and the sentens of excomvnicatioun to be pronuncit vpon thair refusall, in the kirkis apointit, by ony of those who ar particularlie named to haue the charge of trying of thair repentans or impenitency; and that the executioun of this sentence be intimat in all the kirkis within this realm, by the pastouris of everie particular congregatioun, as thay wilbe ansuerabill to thair presbitreis and synodis, or the nixt generall assembly, incace of negligens of the presbitreis and synodis.

Thair ordour or then to be excomvnicat.

Intimatioun.

Thay ar evill vsit, but warrand of the King.

Thus by thir tuo actis is our haill bischopis of Scotland deposit and degradnat, and ordanit to be excomvnicat in maner foirsaid, without heiring of the bischopis them selfis, who micht not cum in respect of the shortnes of thair forgit citatiounis maid wp aganist thame, as ye haue, folio 71, and durst not compeir for feir of thair

Forgit accusatiouns.

Thay durst not compeir.

lives befoir thair assemblie to mak thair owne pairt good, and without the Kingis auchtoritie, warrand, or commissioun, whiche wes strange to sie.

Aluaies vpone the 13th day of December Mr. Alex^r Henrisoun, moderatour, efter sermon in the Heiche Kirk of Glasgo, in presens of the Assemblie and haill auditouris, red out opinlie and publictlie the saidis tua actis, and thairwith excomvnicat the saidis Mr. Johne Spotiswod, archibischop of Sanctandrois, Mr. Patrik Lyndsay, archibischop of Glasgo, Mr. Dauid Lyndsay, bischop of Edinbrugh, Mr. Adam Bellenden, bischop of Abirdene, Mr. Thomas Sanserf, bischop of Galloway, Mr. Johne Maxwell, bischop of Ross, Mr. Walter Quhytfurd, bischop of Brechin, and Mr. James Wedderburne, bischop of Dumblane. The rest of the bischopis war not at this tym excomvnicat. This being done, and all cloissit, thay begin to establish committe courtis, consisting of nobles, barronis, burgessis, and ministeris, to sit at Edinbrugh, for taking ordour with refuseris to subscrive the covenant, refractary ministeris, and vther disobedientis; and of all vther materis whiche culd not be overtakin at this tym be the assemblie, and to pvnish or deprive. This was the first incuming of committees that euer wes hard of in like fashioun within this kingdome, and whiche bred heirefter mekill sorrow aganist the King and his loyall subiectis; for within the haill burrowis of Scotland, the cheifest men of the covenant duelling within ilk schire, barronis, burgessis, and ministeris had thair committe courtis ordinarlie sitting, abuseing the Kingis leges with grevouss burdinges, levie of men, money, horss, armes, taxationis, and vtheris charges, to assist England in defence of the covenant and religioun; and besydis if any subiect myntit to ryss to defend the Kingis auchtoritie in any pairt within Scotland, aduertesment ran fra committe to committe whill it cam to the estaitis, and suddantlie rose in armes aganes sic personis. Many evillis wrocht thir committe courtis, whiche heir I cannot express.

Thir actis publishit in Glasgow, and diuerss bischopis excomvnicat.

Ane committe of the generall assemblie establishit.

Thair office and pouer.

The first committe of the kirk.

It breidis gryt sorrow.

Committees throw all the burrowis.

The causs thairof wickitly devysit aganis our Scotis lawis, and but auchtoritie of the King.

The assemblie, but warrand of the King, of thair awin auchtoretie, indictis ane vther generall assemblie to be haldin at Edinbrugh, the 13th of August, 1639; and vpone the 20th of December, thay rose wp and dissoluit fra this assemblie, wanting the King or his commissioneris ratificatioun and approbatioun, without the whiche

Ane vther assemblie indictit, syne dissolues without approbatioun.

y get all thair willis. it wes *simpliciter* null. Bot thay gat all thair willis, as ye may sie heirefter, folio 142.

ministeris of Edinth deposit. Like as the committee of the said assembly sitting in Edinbrugh, deposis Doctour Eliot, Doctour Hanna, Mr. Alex^r Thomsone, and Mr. Dauid Mitchell, all ministeris of Edinbrugh, of thair offices and functionis, for not subscriving of the covenant. This wes the first act of this committe of the generall assemblie, ordanit to sit constantlie in Edinbrugh for the kirk effaires, as is formerlie said.

King sends doun proclamatioun to his ministeris. Ye hard, folios 74 and 73, of the commissioneris dischargeing of this assemblie, and wretting to his Majestie of thair haill procedure. The King is heichlie offendit, and sendis doun to him ane proclamatioun, daitit at Oatlandis, 8th December, 1638, declairing how this assemblie wes holdin without bischopis, and thay chuisit thair commissioneris of the ministrie and laytie, and electit thair moderatour; and efter this assemblie wes chargit to ryss wp and dissolue, wnder the pane of tressoun, that thay disobeyit and sat still, deposit bischopis, and maid sindrie vther actis without aucthoretie: Thairfoir his Majestie commandit and chargeit his good subiectis not to give obedience to the said assemblie, actis or committees direct thairfra, declairing thame saif and frie of all pane and censur that micht follow thairvpone; chargeing also all presbitreis, churche sessiouns, and ministeris within this realm, at thair meitinges or in thair sermonis, that thay onnawayis aprove nor allow of the said vnlauchfull assemblie, wnder the pane of pvnishment, commanding all suche as hard thair approbatioun in thair sermonis, to relait the samen to the counsall; as also chargeing all judges, clerkis, and wreitaris, not to pas or grant ony bill, summoundis, letteris, or executioun vpone any act of the said pretendit assemblie, and all keiparis of the signet, that they sould not signet the samen; schowing also his Majestie never intendit to exclude Episcopacy, dischairgeing his subiectis from subscriving of band, giveing othe, nor to sueir and subscrive the said confessioun, in any vther sens then whiche is contenit in the declaratioun manifested and emittit by his Hiness commissioner, &c. Like as his Majestie promesit, and on the word of a King, oblegit him by all the royall auchtoritie and pouer quhairwith God had indewit him, to protect and defend his

tenour thairof

obedience to be a to the assemblie s.

letteris to pas.

King promesis protioun

good subiectis that refuseth to acknouledge the said pretendit generall assemblie, from ony just ground of feir or danger for doing thairof, and to defend thame in thair personis and goodis aganes whatsumeuer persone or personis who sall dar to truble or molest thame, as the saidis letteris at gryte lenth proportis.

Thir letteris ar publishit in Edinbrugh. Protestatiouns maid aganis the sam.

The Marquess of Hammiltoun causit proclame thir letteris at the cross of Edinbrugh, bot solempne protestationis is maid aganist the samen. He send likuaies the double of the saidis letteris, and letteris proclamit at Glasgo abefoir dischargeing the assemblie, to the Marques of Huntlie, who, vpone the 29th of November, wes cum to his owne houss in the Oldtown to duell, desyring him to caus mak proclamatioun thairof, and of his owne declaratioun at the crossis of Abirdein, Stanhevin, and vther burrowis north. And causit, at the commissioneris desyre, Raban, the prynter in Abirdein, imprint diuerss coppeis of the samen, bot still protestationis wes maid aganes Johne Spenss Rothesay, herauld, in his cot armes proclamer thairof, except in Abirdein, quhair the Marques him self wes present at the proclamatioun of thir peices. Thus the Marques diligentlie, vpone his owne gryt expenssis, causit vse thir proclamatiouns whiche gat no obediens, and in end turnit all to nocht.

Thay ar send to the Marquess of Huntlie to be proclaimed in the north.

The asssemblie actis ar publishit.

And in the meintyme, the haill assemblie actis ar boldlie intimat and publishit throw all the paroche kirkis of Scotland, alsweill aganes the depositioun and excomvnicationis of the bischopis in maner foirsaid as vtheruayes, except brave Abirdein wold onnawayes heir nor suffer the saidis actis to be publishit within thair kirkis whill thay war compellit thairto, sore aganist thair willis, as efter ye sall heir, folio 99, folio .

Abirdein wold not heir them.

Letteris ar socht aganis the excomunicantis.

Like as, the committe of the assembly cravit letteris of horning aganis the excomvnicat bischopis, bot howsoeuer thay war grantit, Mr. James Gordoun, keipar of his Majesteis signet, wold onnawayis signet the samen, bot went his way touardis England, quhair his maister, the Erll of Stirling, secretar of Scotland, wes remaining, with the signet, becaus the King had forbidden the same by his proclamatioun, as ye haue hard, and stayit thair whill October, 1639. During his absens, the lordis of counsall devysit all letteris passing the signet to be suppleit be the subscriptioun of one named George Haddan, and be his mark; sic wes the ordour observit now a dayis in this kingdome.

The signet is had to England be Mr. James Gordoun.

The signet is suppleit.

bischop of Abirdein ches.

Now the bischop of Abirdein, misregairding his excomvnicatioun and assemblie actis, preichis ordinarlie efter his accustomat maner at Old Abirdein; and vpone the 23rd of December, being Sonday, gave the communioun at the said kirk to sic of the parochin as convenit, and to the Marques of Huntlie, being duelling in the Oldtoun, his tua sones and vther freindis, and to the regentis of the Kinges Colledge; bot thir regentis wes thairefter censurit for taking the communioun out of ane excomvnicat manis handis. Like as, this bischopis mouth wes shortlie cloissit, and forsit to leave the countrie, as ye may sie, folio 89.

e gives the com- ioun.

Sum ar censurit for taking the comvnioun.

The Abirdeins doctoris incuragit.

The doctoris of Abirdein wes manelie encouragit by the Kingis proclamationis, bot thay sufferit the smairt of thair writingis. And as ye hard, folio 65, the lordis of secreit counsall, who had glaidlie subscrivit the Kingis confessioun, seing him mantane episcopacie, turnit all thair cottis, and adheiris to the confessioun and covenant, quhairby episcopacie wes abjurit, to the Kingis gryt greif.

The lordis adheiris to the covenant aganis bischopis.

Alex[r] Forbes takin; plunderit.

About this tyme, Johne Dvgar and his complices took Alex[r] Forbes, *alias* Plagne, out of his owne houss in Bogsyde, spolzeit his goodis, band his handis, and took him suorne to pay ane certan soume of money, syne set him at libertie. He meinit him self to the Marques of Huntlie, who maid him frie of his othe; bot he wes evill acquytit thairfoir, as ye may sie, folio 157.

The Marquess is his freind.

Evill acquyt.

Johne Dvgar oppressis the Forbesis.

This Johne Dvgar wes the father of Patrik Ger, whome James Grant slew, as is said befoir, folio . He did gryt skaith to the name of Forbes, sic as the lairdis of Corss, Leslie, Cragivar, and sum vtheris; abusit thair boundis, plunderit thair horss, nolt, scheip, gudis, and geir, becaus thay war the instrumentis of Gilliroy thair freindis death; and the Forbisses concludit to watche his cuming and going, and to get him if thay micht. This maid him oppress the Forbis boundis by all the countrie.

Thair resolutioun.

Watching appointit.

Alexander Keith brakis waird.

Vpone the [23rd] day of [July], Alex[r] Keith of Balmvre brak waird, and wes convoyit out of the tolbuith of Abirdein in ane trvnk, to ane boit reddy at the schoir, lying, and transportit him haistellie away and landis him in Angouss, where he gois to the place of Innerbraky and lay quyetlie thair. The toune of Abirdein heiring this, and that thay war in gryte danger of mekill debt, for whiche he wes wairdit, send schortlie a company of brave men, took him out of that place perforss, deliuerit him to the prouest and

balleis of Sanct Johnstoun, quhair he wes wairdit within thair tol- He is aprehendit, ha
buith, and in gryte miserie leivit tuo or thrie yeiris, syne depairtit Sanct Johnstoun, qu
this life in miserabill maner.[a] he deis in waird.

The covenanteris now beginis to watche the Kingis castell of The castell of Edi
Edinbrughe moir straitlie nor befoir, both day and night, and suf- brugh straitlie wat
ferit nothing to cum out nor go in bot by thair leive.

Doctor Scrogie gave the comvnioun vpone yooll day in Old Abir- The communioun g
dein, notwithstanding the same wes forbiddin by the assemblie actis. on Yooll day.

The Marques of Hammiltoun causit transport by sea, in ane of The Marquess of H
the Kingis schippis callit the Swallow, the Kingis plait, tapestrie, miltoun transportis
and vtheris lying in Holyroodhouss, togidder with his awin plait Kingis plait and ta
and plenishing out of Hammiltoun, and had to London, about the trie with his own.
last of December, and vpone yooll evin takis journey touardis Lon- He gois to London.
don, quhair he remanit whill, sie folio 116.

Vpone the 24th of November, Mr. Dauid Ballenden, sone to the Mr. Dauid Bellendy
bischop and persone of Kincardin, departit this lyf in his fatheris deceissis.
houss; and without ane funerall sermon, wes bureit.

Vpone the second day of August befoir, Johne Porter, wricht, Johne Porter depa
rackleslie fell af of ane scaffold set for the pricketis of Maucher of ane fall.
kirk, and suddantlie deit but remeid.

[a] The laird of Balmure had been incarcerated for various debts, and his creditors afterwards pursued the magistrates for payment thereof, in consequence of his escape from Jail. It appears that he was assisted in his escape by his sister, Elizabeth Keith, widow of the late William Leisk of that ilk, Mary Keith, daughter of the laird of Ludquharne, and Hay, relict of the late Mr. Gilbert Keith, minister at Skene. The warders declared that, 'at Alexander Keith's intreatie, they wer remowit to the heighe chamber of the said wairdhous, and knew nothing of his escaiping, neither did they sie any persone thair bot onlie the wemen, Nathaniell Leysk, and George Pantoun.' (Council Register, vol. lii., p. 391.) He was an expensive charge to the town in may ways:

'Item deburst be the comptar to Mr. Thomas Gray, Mr. Matho Lummisden, George Moreson, baillies, and these wha past with thame to Stratherne, at tua seuerall tymes, for apprehending Alexander Keithe of Balmwre, conform to thair particular compt produceit befoir the magistrattis, £439 5 0' (Treasurer's Accounts.)

ANNO 1639.

Ane messinger proclameing the Kingis letteris in Dundy, is abusit and wardit.

VPONE the fyft of Januar, 1639, the constabull of Dundie directit ane messinger of armes to publishe the declaratioun and Kingis proclamationis foirsaidis at the cross of Dundie, as the Marques causit do in Abirdein, bot thair cam tuo balleis, one callit Cochrain, and the vther callit Simpsone, and protestit aganes the samen, and tuke instrumentis thairvpone; and in end, efter sum speiches betuixt thame and the messinger, thay violentlie takis him and wairdis him in thair tolbuith, without regaird to the King or his lawis, quhair he remanit a long tyme, and when there will com wes put to libertie. Wonderfull to sie the Kingis messinger so vseit in serving the King him self.

Doctor Goold returnis fra the assembly. Abirdein wold not heir thair actis publishit.

Vpone the 5th of Januar, doctour Goold returnis fra the generall assemblie home to Abirdene. Vpone the morne, being Sonday, he intendit to reid out the assemblie actis efter sermon, and names of the excomvnicat bischopes, as he wes directit. Bot the toune of Abirdein send him word thay wold not heir thame red out of there pulpites, saying the Kingis proclamatiouns chargeit his loyall subiectis not to heir nor obey the samen. Quhairvpone doctor Goold went and preichit, bot maid no publicatioun whill he wreit to the table at Edinbrughe, quhilk he did; quhairvpone mekill sorrow follouit vpone noble Abirdene, as ye haue, folio .

Quhairvpon mekill sorrow followit.

The persone of Balhelvy intendis to publish these actis.

Mr. Dauid Lyndsay, persone of Balhelvie, likuayes cam hame with him, haueing the lyk directioun. And vpone the same Sonday, and sext of Januar, he went to pulpit at his awin kirk of Balhelvie, bot befoir the sermon the Marques of Huntlie had thair ane messinger with ane notar, publishing, in presens of the haill parochineris, the declaratioun and proclamationis foirsaidis, inhibiting thame to heir or obey the assemblie actis, and heirvpone instrumentis wes takin be the messinger in ane notaris hand, syne depairtit; bot the said Mr. Dauid Lyndsay boldlie misregardit the samen proclamationis maid at the kirk dur, and efter sermon red out the haill assemblie actis, with the names of the bischopis who war altogidder deposit, and the names of sic bischopis as war excomvnicat, viz.:—

The Marquess had ane messinger, with ane notar who red the proclamationis, and tuke instrumentis; bot the minister red out the saids actis efter sermon.

the archibischop of Sanctandrois, the archibischop of Glasgow, the bischop of Edinbrughe, the bischop of Dunkeld, the bischop of Abirdene, the bischop of Ross, the bischop of Galloway, the bischop of Brechin, the bischop of Dumblane. Thir war deposit and excomvnicat, onlie, and the rest of the bischopis war deposit bot not excomvnicat, as ye haue, folio 76. Lyk as, the index of thir haill actis wes directit be the table (as it is now called) sitting in Edinbrugh, to the haill kirkis within the diocie of Abirdene, to be publictlie intimat in forme foirsaid, and ordour givin for holding ane committe to try and censure sic of the ministrie as wold not subscrive the covenant; whairvpone sum fled the countrie, sum deprivit of thair benefices, bot most of all cum in, sueir and subscrivit this covenant, as efter do appeir.

The haill bischopis ar deposit, bot not all excomvnicat.

Ane index of the haill actis send to the haill kirkis of the diocie of Abirdein.

Sic ministeris as wold not subscrive the covenant ar deposit, or fleis the countrie.

Ye hard befoir, folio 44, of ane clandestine band maid betuixt our nobilitie, ministrie, and otheris, and sum of the nobles, clergie, knichtis, and vtheris of the lower hous of England. The treuth is, there war abuses in both kingdomes that merit reformatioun, as report went, in kirk and pollicie, whiche the countrie culd not get repairit so long as bischopis stood, who wes ane of the thrie estaites of parliament, follouit still the King, and in materis questionable thair votes kest the ballance. Thairfoir thay conclude to go on vpone ane courss, and sweip out the bischopis of bothe nationis cropt and root; and for that effect, to mak ws Scottis to begin the play aganist establishit lawis, and whidder the King wold or not, to cast out our bischopis and thay sould follow. And in the meintyme to fortifie and assist ws quyetlie, both in brotherlie assistans, and never to suffer the King to be able to correct ws, do what we lyk it to do, as weill proveit. Now the principall men of our Scottis, that wes vpone this plot with the English, war the Marques of Hammiltoun, the Erll of Argyll, the Erll of Rothass, the Erll of Cassallis, the Lord Lyndsay, the Lord Balmyrrinoche, the Lord Covper, ; haueing drawin in the bodie of the haill puritan ministeris, and prouestis of the haill burrowis of Scotland, who first devysit the abuse, to begin at the bischop of Edinbrughe, as ye haue hard, and then to assend degrie be degrie, in forme as ye haue hard, quhilk tendit to mekill sorrow, blude and mischeif, throw out the haill Kingis dominiounes or all wes done,

The clandestine covenant, and ressons thairof.

Thay resolue to pluk wp the bischopis cropt and root.

The Scottis to begin the bargane.

The English to assist ws, and never suffer the King to correct ws.

The plotteris of this play.

Thair policie in brugh and land.

Thay begin at Edinbrugh, and so furth.

It breidis much sorrow and abuse of the King.

and to the vnspeikable greif and displesour of our spotles gratious soveraigne, whome thay michtellie abusit without respect of his auchtoritie.

Felt Marschall Lesly cumis hame out of Germany.

Now about this tyme, or a litle befoir, thair cam out of Germany fra the warrs, home to Scotland, ane gentleman off bass birth borne in Balveny, who had servit long and fortunatly in the Germane warris, and callit to his name Felt Marshall Leslie his Excellence. His name indeid wes [Alexander] Leslie, bot by his valour and good lvk attaned to this title his Excellens, inferiour to none bot to the King of Swaden, wnder whome he servit amongis all his cavallierie.[a] Well, this Felt Marschall Leslie haueing conquest fra nocht, honour and welth in gryte aboundance, resoluit to cum hame to his native countrie of Scotland, and sattill him self besyde his chief, the Erll of Rothass, as he did indeid and coft fair landis in Fyff; bot this Erll foirseing the truble quhairof himself wes one of the principall beginneris, took hold of this Lesly, who wes both wys and stowt, acquent him with the plot, and had his advyss for furtherance thairof to his pouer. And first he devysis cannon to be cassin in the Potterraw by one Capitane Hammiltoun; he began to dreill the Erllis men in Fyf; he causit send to Holland for ammvnitioun, pulder and ball, in gryte aboundans; for mvskat, carrabin, pistoll, pik, suord, cannon, cartow, and all vther sort of necessar armes fit for old and young soldieris. He causit send to Germanye, France, Holland, Denmark, and vther countreis, for the most expert and valiant capitanes, livetennantis, and wnder officiares, who cam in gryte numberis vpone hope of bloodie war, thinking (as thay war all Scottis soldiouris that cam) to mak wp thair fortunis vpone the rwin of our kingdome; bot the Lord did vtheruaies blissit be his holie name.

The covenanteris makis vse of him.

He devysis the casting of cannonis.

He dreillis wp men.

He sendis for ammunitioun and armes to Holland.

He sendis to France, Germany, Denmark, Holland, and other countreis for the most expert Scottis capitans and officiaris.

He establishis ane counsall of war, and castis trinches.

He establishes a counsall of warr, consisting of nobles, crowneris, capitanes, and vtheris wyss and expert persones; and in the begining of this moneth of Januarij began to cast trinches about the toune of Leith.

[a] This celebrated General, who acquired such renown by his eminent services under Gustavus Adolphus, and was created Earl of Leven in 1641, is said to have been a natural son of George Leslie of Drummuir, who was a son of Alexander Leslie of Kininvie.

Ye sie, folio 69, how the Kingis covenant wes subscrivit at Abirdein; yit Mr. Johne Lundie, maister of the gramar scool in Old Abirdein, did not (vpone his owne ressones) subscrive the samen at that tyme. Aluaies, vpone the 14th of Januar, he cumis now to the Marques of Huntleis hous in Old Abirdein, and willinglie subscrivit the Confessioun of faith and band of mantenans, whiche the Marques acceptit; he having subscrivit abefoir the covenant, and who wes at the generall assemblie holdin at Glasgow, yit now he subscrives the Kingis confessioun and band of mantenance willinglie of his owne accord, vpone plane feir of trubbill

Mr. Johne Lundy now subscrives the Kingis confessioun and band.

It wes said that Prince Pallatyne and his brother, Prince Robert [Rupert], war both taken by the Imperialistis, bot his eldest brother escaipit by flicht, and that the emperour royallie, but ransoum, send in Prince Robert [Rupert] to his vncle the King of Brytan, as ye may sie, folio , to whome he did singular service.

Prince Palatyn and P. Robert ar takin. The one escaipit, and P. Robert send to the King.

Vpone the 14th of Januar, the name of Forbes had ane gryte meiting at Monymvsk for thair awin bussiness.

The Forbessis hes ane meiting.

The Marques of Huntlie heiring of this meiting, convenit his freindis, about 300 men, at Kintor, vpone the 18th day of Januar. It is said he wreit for Monymvsk and vtheris his vassallis, bot none cam to him except the laird of Brux only, of that name of Forbes, whairof he hes diuerss vassallis. Thay advysit the Marques to remove out of the Oldtoun and go duell in New Abirdein, for sum apeirans of trubillis quhilk wes liklie to fall out in the countrie, and becaus his freindis micht be better eisit to duell besyde him in New Abirdein nor thay could be in Old Abirdein, and diuerss of his freindis sould cum in competent number thair tyme about, and attend his lordschipis seruice vpone there owne expenssis; quhilk counsall the Marques follous, as ye may sie heirefter, folio 83.

The Marquess hes ane meiting. Few of the Forbessis his vassallis cums to him.

He is advysit to duell in New Abirdein.

He follouis counsall.

Now the committe of estaitis and kirk, fynding thair covenant subscrivit, and thair actis of assemblie proclamit and intimat in peciabill maner, except sum of the ministrie, the haill bischopis, and in speciall the Marquess of Huntlie and sum of his freindis, and maist pairt of the toune of Abirdene, who wilfullie stood to the Kingis opinioun, and doctoris thairof, misregarding thair covenant and assemblie actis, and not suffering the samen to be intimat be doctor Goold within thair kirk, as wes done throw the haill kirkis

The comitte of estaitis seing the Marquess of Huntly, and brughe of Abirdein doctoris and ministeris, and sum vtheris in the north to stand out.

of Scotland obedientlie; and siclike that the Marques opposit all thair doinges in a maner, by publishing the Kingis proclamationis at diuerss tymes, throw the North, thairby bringing the people to mislyk of there covenant and haill procedure. Thir and the lyke motives the nobilitie, barronis, burgessis, and clergie takis to hairt, and resolues, efter mature deliberatioun, to raiss armes, and to causs the Marques, the brughe of Abirdein, doctoris thairof, and all vther outstanding ministeris, to cum in and do that perforss, whiche thay wold not willinglie do, as indeid cam over trew to pass to thair greif and heiche displesour, as ye may heirefter schortlie sie, folio .

Resolues to raiss armes aganis thame.

The brughe of Abirdein moir stoutlie nor wyslie byding be the King, and heiring daylie of gryte preparatiounis making in the south, began to luke to thame selfis, and to vse all possibill meinis for thair defenss. Like as, vpone the 17th of Januar, thay began to watche thair toun, and nichtlie had 36 men in armes for that effect. Thay maid wp thair cat-bandis throw the haill stretis; thay drest and clengit thair cairt peices, quhilk quyetlie and trecheruslie wes altogidder poysonit by the covenanteris within the toune, and ramforsit so with stones, that with gryte pane thay war clengit and maid clein. Thus the toun being nichtlie watchit, thair cam doun the get certane of thair awin colliginaris, who war all covenanteris sones within and without the toune, quhairof Patrik Leslie, burges, and Mr. Androw Cant, minister, there tuo sones war principall ones. The watche commandit them to thair beddis, quhilk thay refuisit; whairvpone thay presentit hagbutis to thir scolleris, syne went thair way. Complaint, vpone the morne, wes maid aganist thame for troubling the watche. Thay ar forsit to cum in and acknouledge thair offens, and cam in the tounes will; bot sindrie of thame left the college and went a landward to thair covenanting fatheris.

Abirdein bydis be the King moir stoutlie nor wyslie.

Thay begin to watche the toun.

Thay mak wp thair cat-bandis.

Thay drest thair cairt peices.

Thay ar poysoned, and with pane pvrgit.

Sum heiring betuixt the watch and scolleris.

Now about this tyme thair cam warrand from about 29 erllis, lordis, by and attour barronis, burgessis, and ministeris in writtin missives, and seallit with ane commoun seall as report past, signefeing throw all Scotland to thair covenanteris the gryte danger thay war in for religioun, and that thay feirit England wold ryss aganist them; willing thairfoir thame to tak wp the haill rentallis of Scotland, alsweill of freind as foe, and to raiss xiiis. iiijd. out of ilk chalder victual or siluer rent, for raising of men; and that ilk

Missives writtin to tak wp the haill rentallis of Scotland, for raising of men out thairof.

schirefdome sould try the number of thair men and armes, and to haue all in reddines as occassioun sould offer; and to levie collonellis, capitanes, ensignes, serjandis, and other officiares to dreill and trayne wp thair soldiouris; and the order how commissioneris sould be chosin to sit thrie moneth at the counsall table of Edinbrugh thair tyme about; and likuaies how commissioneris suld be chosin for reulling of ilk presbitrie and parochin of the land, and set doun instructionis in wreit anent all thir bussinessis; quhilk bred gryte truble in vptaking of the rentall within ilk schirefdome, and number of men and armes, and vtheris aboue writtin.

Men to be numberit, and thair armis.

To haue capitans and officiaris to dreill soldiouris.

And diuerss vther ordouris.

Vpone the 25th of Januar, Schir Thomas Burnet of Leyis, ane faithfull lover and follouer of the houss of Huntlie, ane gryte covenanter also, cam to Abirdene, and in freindlie maner declairit to the Marques that thair wes fra the counsall table of Edinbrugh ane committe direct to mak publicatioun of the assemblie actis at the marcat cross of Abirdein, and likuaies to viseit the college of Old Abirdein, and repair the faultis thairof; and demandit his lordschip how he wes weill pleissit thairwith. To whome the Marques gave no contentit ansuer, as done aganes the Kingis command. Then Leyis ansuerit, 'my Lord, I feir thir thinges wilbe done be ane army,' bot the Marques harkned thairvnto, and so thay partit, bot it cam over trew to pass, notwithstanding of all the Kingis proclamationis, sie folio .

Schir Thomas Burnet cumis to the Marquess.

His speiche.

The Marquess gave no contentit ansuer.

Vpone Thuirsday the penult of Januar, the Lord Fraser, the maister of Forbes, thair kin and freindis, the laird of Frendracht, the laird of Strechin, the baillie of Slaynes (be directioun of the Erll of Kingorne, the Lord Yester, and the laird of Auldbar, as tutores to the young Erll of Erroll) with many vtheris convenit at Turreff for chuseing of thair commissioneris to go to Edinbrugh, and remane for thrie monethis space vpone the commoun expenssis of the countrie. The Marquess, heiring of this meiting, send befoir ane herauld, and causit proclame at the cross of Turreff the proclamatiouns and declaratioun foirsaidis; bot at thair cuming thay maid protestationis aganes the samen, and took instrumentis thairvpone, and went to the electioun of thair commissioneris, and electit the laird of Frendracht and the laird of Strechin commissioneris; syne dissoluit in peace.

Ane committe at Turreff.

Proclamatiouns and protestations.

Committees holdin in the north.

Thair wes meitinges also at Banf, Elgin, Forress, Nairne, Innerniss, Dornoch, Ferso, for chuseing of the lyke commissioneris, bot befoir thair meitinges the Marques most cairfullie causit proclame the foirsaidis proclamationis and declaratioun be ane herauld, with tovk of drum; bot still protestationis maid and instrumentis takin.

Proclamations and protestationis.

The herald returnis bak to the Marquess.

Aluaies the herauld and drvmmer returnit hame saiff and sound, about the 25th of this instant Januar, and reportit thair diligens to the Marquess, with protestationis and instrumentis takin aganes thame.

Abirdein beginis to dreill thair men.

The toun of Abirdein seing thir committees go so, convenit the tounschip within the tolbuith, and began to chooss out capitanes, ensignes, serjandis, and vther officiares for dreilling of thair men in the lynkis, and lerning thame to handle thair armes, bot thay tynt thair travell as ye sall heir, and wes far disapointit and pitifullie borne doun, sie folio .

The Marquess seikis Marschallis houss and is refuisit.

Ye sie, folio 81, how the Marques of Huntlie wes advysit to duell in New Abirdein. It is said he wreit to his cusing the Erll of Marschall for the len of his hous in Abirdene, to duell in for a tyme, (thinking and taking Merschall still to be on the Kinges syde, as he wes nocht) bot he wes refused. Aluaies the laird of Petfoddellis kyndlie lent him his hous; and vpone the last of Januar, flitit out of Old Abirdein his haill famelie and goodis, and thair took wp houss.

He gois to Petfoddellis houss to duell.

His attendance.

It wes condiscendit amongst his freindis that 24 gentilmen, quhairof thair sould be 3 barronis weill provydit, wes apointit weiklie to attend and serve this nobill Marques in Abirdein, thair weik about, and when 24 went out vther 24 to cum in, and daylie to sit at the Marques table; and siclike thair wes aucht gentilmen appointit to watche his lodging on the night, thair tyme about, and fyre and candill still burning ilk night within the houss.

His watche.

It did no good.

This ordour began to be keipit vpon the fourt of Februar, to the Marques his gryte charges and expenssis, and fasherie of his kin and freindis, bot all for nocht; it did no good. Ane freind, as wes thocht, wreit to the Marquess, desyring him to haue ane cair of his awin persone, ambiguosly; quhairvpone this order follouit, as is aboue writtin, bot it contynewit not long, for the Marques left Abirdein, as ye haue, folio .

The ressone of this attendance and watche.

The Erll Marschall, being duelling in Innervgie about this time,

raisit his houshold, and vpone the second day of Februar cam ryding throw Abirdein, and wold not salute the Marquess, bot rode to Dunnottar and thair took wp houss. The Erll Marschall rydis to Dunnotter.

Vpone the first day of Februar, the Erll of Montross, the Erll of Kingorne, the laird of Auldbar, and diuerss vtheris barronis and gentillmen, covenanteris, cam to Forfar, heid brughe of the schire of Angouss, and held ane committe (be directioun of the Tables at Edinbrugh) within the tolbuith thairof, to whome cam the Erll of Southesk, the Lord Ogiluy, the maister of Spynnie, the constabull of Dundie, and sindrie vtheris of the Kingis factioun. Thay war desyrit to subscrive ane new covenant, abjuring episcopacie, &c., quhilk thay *simpliciter* refusit. Then thay began to stent the Kinges leiges within the schire of Angouss. Southesk speirit be what auchtoritie thay war thus stenting the Kinges leiges. Montroiss (being his sone-in-law) ansuerit thair warrand wes from the Table, (for so wes thair counsallis at Edinbrugh now named) requyring him also, and the rest that wes thair, to number thair men, and haue them weill armed and in reddiness to concur and assist the Table. Southesk ansuerit thay war all the Kingis men, subiect to his service, bot to no Table nor subiect sitting thairat; and that thair landis was not subiect to be stentit, nor there men numberit, bot at the Kingis command and in his seruice. And so thay took thair leive, leaving Montross and the rest sitting still in the tolbuith of Forfar at thair committe.

Ane committe holdin at Forfar.

Thay desire the covenant, abjuring episcopacie, to be subscrivit.

It is refusit.

Thay stent the Kingis leiges.

The men to be numberit and armed.

Oppositioun maid by sum nobles.

Vpone Sonday, the 3rd of Februar, ane solempne fast keipit in New Abirdein, anent the apparent troubles of the Kingdome.

Ane fast.

Vpone the sevint day of Februar, Thomas Fraser, younger of Strechin, James Fraser, brother to the Lord Lovat, Mr. Alex^r^ M^c^Kengzie of Culcowie, brother to the Erll of Seafort, with the toune of Innirniss, and many vther countrie men convenit at the said brughe, heiring of Williame Gordoun of Knokaspak his cuming at command of the Marques of Huntlie to furneish and provyde his castell of Innerniss with men, meit, and mvnition, and had with him mvscatis, pulder, ball, trvnkis, and vther necessaris for that effect, bot thay gatherit togidder, went betuixt him and the castell, and wold not suffer him to enter, and violentlie and maisterfullie reft and took fra the gentilman his haill armes and trvnkis, saying

The Marquess servand violentlie stayit fra his houss off Innerniss, going to furneiss the samen, by the covenanteris.

He is reft and spolzeit.

this houss pertenit not to the Marques, nor yit to the King, bot onlie wes buildit for defenss of the countrie. The gentilman could mak no plesand ansuer, bot took instrumentis aganes thame, and wes blyth to wyn away. In the meintyme, thair wes ane strait watche of 50 men set nichtlie to keip this castell, furneshit be the M'Kengzeis, Fraseris, Rossis, Monrois, and vther country clanis, and be the toune of Innernis thair nicht about, for thay brak wp yetis, duris, and wyndois of that staitlie castell; spoylit the plesant plenishing, his ritche librarie of bookis, and brocht all to nocht quhilk wes within that houss, inferiour to few of the kingdome for decoirment. The gentilman returnit bak, told the Marquess, bot he wes forsit to suffer this vnhard-of-oppressioun to the nobill houss of Huntly, to his gryt hurt and skaith.

He takis instrumentis, and gois his way.
The castell is nichtly watchit.
It is spoilzeit.
The gentilman tellis the Marqueis.
He must haue patience.

The Table had apointit ane committe also to be haldin at Turref for stenting of the countrie, numbering of men, as wes done befoir at Forfar; and to this effect thair convenit the Erll of Montross, the Erll of Kingorne, the Lord Couper, with sindrie vther barronis and gentilmen, about nynescoir weill horsit weill armed gallantis, haueing buffill cotis, carrabins, suordis, pistollis, and the like armes. Thay cam not be Abirdein, bot vpone Wednisday the 13th of Februar, thay lodgit with the Lord Fraser at his place of Muchallis, and in the countrie about. And vpone the morne, being the 14th of Februar, thay raid from Muchallis to Turreff, haueing the Lord Fraser, one of the committe, with thame, and his freindis, whair thair met thame the maister of Forbes, his freindis and followeris, ane vther of the said committe. The Erll Marschall himself wes nocht thair, bot his men tennentis and seruandis of Buchan and Mar wes thair, and lykuaies the young Erll of Erroll, his men tennentis and seruandis of Buchane wes thair, albeit him self wes bot ane young bairne; about the number of 800 weill horsit weill armed gentilmen, and on foot togidder, with buffill cotis, corseletis, jakis, suordis, pistollis, carrabins, haghutis, and vther wapins. Thus thay took in the toun of Turref, and baskit veray advantagiouslie thair muskattis round about the dykis of the kirk yaird, and sat doun within the kirk thairof sic as wes of the committe, viz., Montross, Kingorne, Fraser, Couper, Forbes, as is befoir notit.[a]

Ane Committe at Turref, by Montroes, Kingorn, Couper.
Their progress.
They war weill armed.
Our country people meitis thame in seamberis.
They tak in the toun of Turref aduantagiously.

[a] See Gordon's Scots Affairs, vol. ii., p. 213, et seq.

Now the Marques of Huntlie being at the buriall of his ant the Lady Foveran, and dochter to the laird of Geicht, schort while befoir this tyme, and heiring of this committe to be haldin at Turref, and talking of the samen, sum evill dispoisit persones informit his lordschip that he durst not cum thair that day. The Marques incensit heirwith, cam fra the buriall to his hous in Abirdein, and schortlie wreitis to his freindis to meit him without ony armes except suordis and schottis; and vpone the said Wednisday, the 13th of Februar, he lap on in Abirdein haueing his tuo sones, the Lord Gordone, and Lord Aboyne, with him, the Erll of Finlater, the maister of Rea, who be accident wes then in Abirdein, the laird Drum, the laird Banf, the laird Geicht, the laird of Haddoch, the laird of Petfoddellis, the laird of Foveran, the laird of Newtoun, the laird of Wdny, with many vtheris that met him. Aluaies he lap on in Abirdein about 60 horss, with suordis, pistollis, and hagbuttis allanerlie; and vpone Wednisday he cam to Kelly, the laird of Haddochis houss, all night. Vpone the morne being Thuirsday, and 14th of Februar, he lap on, and at the Braid Furde of Tollie, tuo myllis distant from Turref, the Marques him self began to rank and put his men in ordour, and to tak wp the number of thame, who wes estimat to be about 2000 brave weill horsit gentilmen and brave foot men, albeit wanting armes except suord and schot, as I haue said. Thus, the Marques cam forduard in order of battell, wp the northwast syde of Turref, in sicht of the vther companeis ilk one looking to vtheris, but ony kind of offence or iniurious word. The Marques haveing thus peciablie past by, dissoluit his company, and ilk man to go home, and himself that nicht went to Forglyne, pertening to the laird of Banf. The covenanteris hard indeid of the Marques cuming, and thairfoir tuke in the toun, and buskit the yaird dykis weray commodiouslie, as I haue said; and seing thair wes nothing bot peace, thay held thair committe within the kirk of Turreff, stentit, taxt, and numberit the men, ordaning thame to be in reddiness with ther armes to attend the Table. It wes reportit thair cam to assist this committe out of Morray, the lairdis of Inness, the schiref of Morray, the lairdis of Pluscardyne, Tarbet, Broddie, and vtheris, about xii scoir brave weill horssit gentilmen. Aluaies vpone the said 14th of Februar, this

The Marquess evill advisit, convenis his freindis, resolues to h thair and to be sein.

He gois to horss in Abi dein.

He rydis to Kelly.

He rankis his men.

Thair number.

He cumis forduard in battell rank.

Gois by the covenanter but mr ir ado.

Dissolues his army. And himself gois to Forglyne.

The committe is hald for stenting and numbering of men.

Morray men cumis t thame.

The committe dissolues. committe dissoluit in peace, and the lordis returnit bak to Muchallis;

Thair progress home. the rest war ludgit that nicht at Innervrie and Kintor. Vpone the morne thay rode to Dunotter, whair thay war maid welcum, and

Marschall is now knowne to be ane cleir covenanter. Marshall thair declairit him self cleirlie to be ane covenanter, quhilk wes doubtful befoir; and so furth ilk man home. The Marques of Huntlie cam from Forglyn to Kellie vpone Frydday at evin;

The Marquess cumis bak to Abirdein. and vpone Setterday he returnit to his owne lodging in New Abirdein.

He gat no good by this schow. This bussines did no good to the Marquess, bot wes evill advysit and counsallit to mak a schow of his strenth and powar, without doing any vther seruice; for the quhilk, and vtheris his doinges, he wes with his freindis pitifullie born doun and oppressit, as ye may heirefter sie, folios 102, 127.

Letteris fra the King. His fair promeissis. It is said the Marques, the bischop of Abirdene, the toune of Abirdein, and doctoris of bothe Abirdeins, had receaved letteris fra the King, thanking thame for thair constancie, intreating perseverans to the end, approvit the doctoris for thair writtinges, promesing to remember thair panes, desyreing the Marques in ane peciabill maner to stand stedfast in his loyaltie, and that he wold

Men and mvnitioun suld cum be sea. send to Abirdein 3000 soldieris to defend the toune and north countrie round about, with money, pulder, ball, ammvnitioun, and all other thinges necessar, be sea; which letteris encouraged the Marques, the toune, and all. Like as, the Marques him self red his

Bot all wes vanity. letter to his people, whome he loved, going to Turref; whairat thay michtellie rejoisit, and maid thame to stand out aganist the covenant to the vttermost, to thair gryte schame and disgrace, as ye may sie, folios 103, 106, 107.

The toune of Aberdene feiring that this committe sould be holdin in thair toun cuming bak fra Turreff, began to mak preparatiouns for thair awin defenss, resolving not to give thame entress if thay hapnit to cum for keiping of thair committees or publishing thair assemblie actis; and to that effect began to big wp thair bak yettis, clois thair portis, haue thair catbandis in reddiness, thair cannonis clair, and had ane strait watche baith day and night keipit, and thair men in good ordour to ganestand thame and thair doinges (if thay cam) to the vttermost; bot thay war schortlie pacefeit, becauss thir people cuming nor going, past not be Abirdein, bot rode the heighe way be Muchallis.

Richt sua the maisteris and memberis of the Kinges College of Auld Abirdein, possessit with the lyke fear that thay sould cum and hold ane committe within thair colledge, be procurement of Mr. Johne Lundie, as ye haue befoir, folio 74, who, without warrand, desyrit the bischop of Abirdein as alledgit chanceler, Mr. James Sandilandis, cannonist, and doctour Williame Gordoun, mediciner, to be removit as vnnecessar memberis fra the said college, and vnlauchfullie brocht in, and establishit be vmquhill Patrik, bischop of Abirdein, aganes the foundatioun set doun be vmquhill King James, taking wp the rentis without ony lauchfull seruice, quhilk rather belongit to the maisteris and inward memberis of the said college, who cairfullie attendit thair callinges for vpbringing of the youth. The foirsaid petitioun wes givin in befoir the generall assemblie without warrand of the colledge memberis, yit wes weill hard by the assemblie, who ordanit ane committe to cum and viseit the said college. The whiche cuming to the maisteris eires, directlie accusit the said Mr. Johne Lundie for passing by his commissioun, and giving in sic ane petitioun befoir the said assemblie, and accusit him before the bischop Bellenden and vther outward memberis of the said college, alledging he had wrongit the liberteis of the houss, by drawing thame wnder censure of ane committe of assemblie, who wes only ansuerable to the King and his counsall, for ony offens or oversicht; bot the said Mr. Johne pleadit guiltie, and confessit his error, and by ane act, not subscrivit with his hand, confessit he had no warrand nor commissioun to the effect foirsaid.[a]

Maister John Lundie cravit only the canonist, the cantor, choristis, and cheplanis, consisting of 24 persons to be removit, and none vther.

He is accusit for giving in a petitioun befoir the assembly.

Quhilk drew on ane committe.

He confessis his error, and that he had done by commissioun.

[a] Lundie's commission had only been signed by a portion of the senatus, and it only empowered him to attend to the interests of the college. On his return, a meeting of the members of the college was held, 'for the tryell of the said Mr. Johne Lundie his alledgit commissione, &c.; and on being demanded of his procedour, and why he haid sittin, voyced, and treated of affaires in assemblie, by and beyond the limittis and power giwen to him, ansuered and confessit that the giweris of the said commissione, or power, at the granting theroff, declairit that they did not send him, nor gaue him warrand to sitt, voice, or treate in assemblie, and that he satt and voyced in assemblie, becaus that the assemblie allowed his commission. Being forder demanded upon what reasoun he satt and stayed in assemblie, efter his Majesties commissioner in assemblie, and his Majesties proclamatioun at the croce of Glasgow, hade discharged the said assemblie, and all the procedour thairof; ansuered he stayed efter the proclamatioun for thrie ressones: First, becaus he knew nothing of the said proclamatioun as he alledgit; secondlie, becaus he sawe mony of noblemen, counselleris, come in to the assemblie, man be man; thirdlie, becaus he came for doing of particular affaires of the colledge, quhilk he haid not endit. The rector, assessouris, maisteris, and memberis foir-

The maisteris and regentis, feiring that the committe at Turref suld cum to the college, set the studentis at libertie, and cloisit the yettis, bot finding thay cam not, thay reconvein agane to thair studdeis.

Aluaies the maisteris being wnder feir that this committe, holdin at Turref, wold cum and viseit thair college in thair hame going; thairfoir thay set thair haill studentis to libertie, cloissit wp the yettis, and ilk man went ane sindrie get, thinking if thay cam thay sould fynd fast yettis, and no man thair to abyde thair censur; bot disapointit of there expectatioun, and seing thay cam not, thay reconvein schortlie thair scolleris, and ilk man fell to his owne studdie and charge calmlie and quyetlie.

Ane proclamatioun contening the disorderis of the land

About the nynt of Marche thair cam to Abirdein ane imprinted proclamatioun, declairing how his Majestie with gryte patiens had sufferit oure Scottis covenanteris disloyall procedure, who, wnder pretext of religioun, had turned rebellis, without ony ground of religioun for there warrand; how thay had vsit frequent convocationis of his leiges, gairdit his castellis, kepit assemblie efter thay war discharget, set doun stentis, taxations, and impositionis vpone his good subiectis, for mantenans of warr, aganes the lawis of our kingdome; how seditious pasquillis wes daylie writtin and printed, and send to England, quhairof his Majestie himself had sein the principall missives direct from ws out of Scotland, tending thairby to draw his good subiectis of England to thair rebellious opinioun, as thay had (wnder cullour of religioun) drawin the hairtis of his loyall subiectis of Scotland. It likuaies declairit how, by subscriving of this covenant, thrie English preicheris denyit his Majesteis supremacie, and othe of allegians; that his Majestie wold

His Majestie wold mantane episcopacy.

mantane episcopacie, and that he had no mynd to alter or change ony materiall poynt of religioun; that his Confessioun and our Con-

saidis, efter removing of the said Mr. Johne Lundie, haweing tane the premisses to thair consideratioun, deiplie pondering and weying the sequellis thairof, and recalling the said Mr. Johne and he compeirand personallie, they all in one voyce findes, declaires, and decernes that the said Mr. Johne Lundie hes transgrest the poyntis of the said commissione, and power of agentrie; and therfor they all in one voyce disclaimit and disallowed the said Mr. Johne Lundie his sitting, voycing, stayinge, or treating of materis in the said assemblie, as not warrandit be the commissione or power foirsaid; and in speciall all that he did efter the dischairge of the said assemblie, and his Majesties proclamatioun, withe all that hes followit or may follow therwpone: and solemlie protestit, in the meanetyme, that in caice any danger suld incurre therthrow, that the colledge and memberis therof suld be frie of the same, and of the Kinges Majesties wraithe theranent. Wpon the whilkis haill premisses the rector foirsaid tuike instrument.' (Minutes of King's College, MS.)

fessioun of faith wes both one; that the inbringing of the seruice bookis wes to mak God to be worschippit throw out all his dominiouns efter ane forme and maner; declairing also the haill covenanteris, for this illegall procedure, to be traittouris; and ordanit this proclamatioun to be red at the churche durris of all the paroche kirkis in England, that the Christeane worlde micht sie how he wes vsit, and how his Majestie wes forsit to tak wp armes; chargeing thairfoir and commanding the nobles, erllis, lordis, knightis, throw out all England, to muster thair men, inroll thair names that his Majestie micht know thair number, and to meit him at York in thair best armes vpone the day of Marche nixt. Thir letteris war daitit in Februar befoir. Howsone this proclamatioun wes wnderstood be the toune and doctoris of Abirdein, and vtheris of thair mynd, thay rejoised hartfullie thairat; bot all thair mirth turnit shortly in mvrning, as efter do appeir. The King desyrit this proclamatioun to be publishit at the Scottis paroche churches also, bot wes planelie suppresst, none daring to do the samen, as wes done in Ingland. It wes daitit the 27th of Februar, sie folio 87, folio 113.

The covenanteris declairit traittouris.

That this proclamatioun was red at the paroch churchis of England.

Charging thair men to be musterd, and to meit his Majestie at York.

He desyrit this proclamatioun to be red at our Scottis kirkis, bot was suppresst.

About this tyme James Grant the rebell gettis his peace fra the King, and now beginis to kythe, who durst not be sein since anno 1636 abefoir, sie folio 39, sie folio 167.

Vpone Sonday the 24th of Februar, thair hapnit some 18 gentilmen of the names of Fraser, Ross, and Cuming in ane ferry-boat passing the water of Fyndorne pitifullie to droun.

Sum persons drounis vpon Findorne.

Vpone the 27th of Februar, the Erll of Marschall tuke wp muster of his men tennantis and seruandis, within his barronyes and lands off Kintor and Skeyne, and inrollit thair names so strictlie, that scarss men wes left to hold and to call the pleughe.

Marschall beginis to muster his men of Mar.

Thair wes also ane meiting of the Forbesis and Fraseris keipit at Monymvsk.

Ane meiting amongis the Forbesis.

The toun of Abirdein still trusting to the Kingis letteris and protectioun, and heiring the covenanteris wes raising forces to cum to Abirdein and compell thame to yeild to thair willis, whidder thay wold or nocht, resolvit to byd the worst; and be the Marques advise began to try what victuall or prouisioun wes within the toune, incace thay war beseigit. Nixt thay began to cast ditches be his

Abirdein, trusting in the Kingis letteris, resolues to byd the worst.

Thay be the Marquess advyss gois on. Thay try thair victuall.

Thay cast ditchis be Livvetennand Johnstoun's advyss.

advyss, and advyss of livetennand collonell Jhonstoun, who all this tyme wes in the toune dreilling wp the tounes soldiouris; and vpone the first day of Marche fell to wark, and keist deip ditches fra the Gallowget port doun the north syde of the toune touardis the castell hill, and about the hill. And vpone the south syde of the toun thay

Thay raise up sconses.

raisit wp tymber sconses anent the loche, cled with daillis, quhairby the tounes muskiteiris micht saiflie stand and molest the enemy. Thay had the lyke sconses at the Gallowget Port vpone the hill.

Thay plant thair ordinance.

Thay had ellevin peice of ordinance, whiche was plantit most commodiouslie vpone the toune streites, ilk peice haueing ane tymber

All man and woman is bussie.
Gryt expensis maid, and for no vse.

sconss set wp for soldiouris to defend the samen. And thus ar thay bussie man and woman, making gryte expenssis to hold thame out, who wold nocht be holden out for them, as ye may sie, folio 96.

Mr. Androw Cant cums fra Petaligo, going to Newbottill, with his wyf and barnis.

Vpone the same first of Marche, Mr. Androw Cant, minister at Petsligo, cam with his wyf and children to Old Abirdein, whair he lodgit all nicht; and vpone the nixt Sonday, in his journey, teichit at Banchorie Devnik, to whome flokkit sindrie puritanes out of Abirdein to heir him. He wes translaitit from Petsligo to Newbottill, and had now removit him self, and wes vpone his journey

He is a malitious covenanter.

touardis Newbottell, a gryte covenanter, veray bussie in thir alterationis, and mortall enemy touardis the bischoppis. He wes thairefter translaitit fra Newbottle to Abirdein, as ye haue, folios 223, 333.

The covenanteris hes thair daylie meitings.

Now the covenanteris hes daylie meitinges at thair counsall table in Edinbrugh; men takin wp in the south countrie, and dreilling and mustering daylie; commissioneris also apointit to tak wp

Men taking up in good ordour.

thair number, and sie thair ordour and armour. Thay omittit no occasioun to advance thair purpoiss.

The Bischopis trusting to the King, behaldis all cairlesly.

Bot the bischopis lay still and beheld all, stedfastlie depending vpon the Kingis protectioun and defenss, as he had often writtin and promesit. And in the meintyme the countrie is brocht wnder gryte feir.

Commissioneris send to the bischop of Morray, intimating his deprivatioun and chargeing him to mak his repentanss, takis instrumentis.

About this tyme, and begining of Marche, Mr. John Hay, minister at Raffart, Mr. Dauid Dumbar, minister at Ardclache, and William Ross, prouest of Narne, all covenanteris and commissioneris of the generall assemblie in this cace, cam to Elgin, met with the sumtyme bischop of Morray cuming fra sermon, evin at the kirk

dur of Elgin, and thair publictlie maid intimatioun to him of his deprivatioun, chargeing him also to mak his publict repentance; and quhairvpone thay tuke instrumentis. The good bischop, seing materis go so, left now af to preiche any moir albeit he teichit efter his deprivatioun, quhill now about the begining of Marche, as said is, he left af to preiche ilk Sonday, according to his custom, and resoluis to keip his castell of Spynnie cloiss, and cum no more out, becaus he had furneshit the samen with men, munitioun, victuallis, and all thinges necessar, and resoluit to keip this strenth to the vttermost; bot he wes forsit to give it over or all wes done, as ye may sie, folio .

The bischop preichis on more.

Resolues to keip his castell of Spynnie.

Ye hard, folio 86, of the Kingis proclamatioun. It wes not sufferit to be publishit heir as wes in England, bot altogidder supprest, alledging thay war thair callit traittouris who were of the covenant, aganist all ordour, for none suld be proclamit traittouris whill first thay be tryit, assysit, and legallie convict of tressoun in counsall or court of parliament, according to the Scottish lawis; and that his Majestie aucht not, vpone euill informatioun of thair enemeis, go about to proclame thame traittouris, without advyss of the lordis of counsall; and so wold not suffer thame to be publishit, sie folio 113.

The covenanteris ressonis for suppressing the Kingis proclamatioun.

Vpone the 14th of Marche thair wes ane meiting amonges the nobles and vtheris at Perth, whair the Erllis of Argile, Montross, the Lord Couper, the maister of Forbes, and some vtheris war. It wes said that Argile wreit to his goodbrother the Marques of Hunlie, desyring him to be at this conventioun, or then send his eldest sone; bot he wreit bak his excuse, saying he culd not cum him self, and his sone wes bot young, bot he suld send ane commissioner thair, as he did, and send Doctour Gordoun to Perth. This conventioun contynewit whill the 18th off Marche, syne dissoluit. It wes said the Marques of Huntly wes desyrit by Argiles letter to meit him at Brechin, bot the Marquess wreit bak his excuse, saying he could not win. Argile vrgit a meiting of him quyetlie, ather at Brechin or Fettercarne, to haue commount vpone thair effaires, bot still he refuisit. He wes also diuerss tymes aduertesit be sum of his freindis, that, if he wold not concur and assist the covenanteris designes, he sould be careit to Edinbrugh, and wardit in the castell

Ane meiting at Perth.

Argile wreitis to the Marquess to be at this meiting or his sone.

He wreitis ansuer.

He sendis Doctour Gordoun to Perth.

This conventioun dissolues.

Argile cravit a meiting of the Marquess, and refuisit.

He is foir-warnit of this skaith, and countis not for it.

thairof; bot he misregardit all counsall, albeit it over surelie cam to pas to his shame and skaith. He wold not leave the King, bot daylie luikit for help and supplie from his Majestie, wherein he wes deceavit. The Erll of Argyll saw he could get no meiting of the Marques, he beheld him, and from this conventioun rode to Argile. Ilk ane of the rest went a sindrie get, and Doctour Gordoun returnit to the Marques to Abirdein.

Doctour Gordoun returnis to the Marquess.

Fortificatiouns and trynches about Leith.

About this tyme the covenanteris began to cast fortificationis and trynsches about the toun of Leith, be advyss and directioun of the foirsaid Felt Marschall Leslie, and both men and wemen cam ryning to this wark.

Many brave captans and commanderis cumis home.

This Lesly wreit also to Germany, France, Holland, and diuerss vther pairtis for expert capitanes, commanderis, and officiares to attend seruice, as it fell out; to whome cam numberis of brave commanderis, thinking to mak wp a fortoun in thair native kingdome, howsone the trubles began as then daylie wes luikit for.

The Laird of Cluny cums be sea fra the King in ane pinnage.

Schir Alexander Gordoun of Cluny, knight barronet, being send be the Marques to go to the King be land, returnit to Abirdein be sea in ane of the Kinges pinnages, vpone the nynt of Marche. This pynnage gardit and convoyit ane vther merchand schip to the port of the said brughe, whairin thair wes 2000 mvscatis, bandileiris, and mvscat staves, 1000 pikis with harness and armour, both for foot men and horss men, cairabins, horss peces, pistollis, pulder, leid, and matche. Thir armes war brocht on schoir and deliuerit to the Marques vpone the 17th of Marche. The toune of Abirdein intertynneit the capitane of this pynnage kyndlie, and had ane nichtlie watche of fourscoir mvskiteires to saiff and defend hir fra all danger, sa lang as scho lay within the harberie. The laird of Cluny brocht this capitan over to his owne houss in the Oldtoun, and maid him good cheir. Now thir armes cam fra the King to the Marques, quhilk he schortlie disperst and spred to sic as wold by and give thair tiket for payment at Martimess, of sic soumes as wes agreit vpone, or then to restoir sic armes as thay bocht bak agane to the said Marques at the said terme. The laird of Cluny brocht letteris also from the King to the Marquess, with ane lievetennandrie. Diuerss cam and bocht of thir armes, and gave thair ticket for payment of ilk mvskat, bandeleir, pulder, ball, mvscat staf, and

A schip with armes cumis to the Marquess.

Thay ar landit, and deliuerit to him.

The capitane intertainde, and his schip watchit.

Cluny brocht letteris fra the King, with ane lievetennandrie for the Marquess.

matche 15 lib., and for ilk pik of xcviij s. And so the rest of the armes wes all prycit and givin out vpone not of payment, as said is. Now this livetennandrie cuming home, (whidder past our Scottis seallis or not I know not) bot he acceptit the samen glaidlie, and send for sic men as wanted armes of his awin, duelling in Strathbogie, Gartlie, Engzie, Auchindoun, who cam to Abirdene, about 500 men, on futt for the most pairt, whome he furneshit. Thay cam to the toune in good ordour and array, and schortlie returnit bak agane to thair awin houssis, about or vpone the 19th of Marche.

Thir armes ar sauld, the prices thairof.

The Marquess acceptis this Liuetennandrie, bot was not past our Scottis seallis.

He armes sum of his awin men.

The counsall of warr within Abirdene began agane to try the provisioun and victuallis within the toune; and vpone the 17th of Marche ane solempne fast keipit for the peace of the countrie.

Ane counsall of warr in Abirdein.
Ane publict fast.

Vpone Frydday, the 22nd of Marche, the bischop of Abirdein flittit and removit from his awin pallace in Old Abirdein over to the toune, and duelt in Thomas Carngillis hous in thir troublesum tymes, for his better securitie, bot he wes forsit to flie the countrie also, folio 123.

The bischop removis to New Abirdein.

The Marques of Huntlie his livetennandrie extendit fra the northe watter to Caithnes inclusiue, quhilk he causit proclame at the cross of Abirdein vpone the 16th of Marche, beiring thir wordis:—

The Marquess livtennandrie proclamit in the wordis following.

George, Marques of Huntlie, Erll of Engzie, Lord Gordoun and Badzenocht, &c., his Majesteis livetennant of the north, from the north water of Esk to Caithness inclusiue, To our louitis, &c., heraulds, pursevantis, messingeris, coniunctlie and seuerallie, speciallie constitute, greting: Forsameikill as it concernis his Majesteis speciall seruice, that all his Majesteis leges, of whatsoeur qualitie, rank, or condition, be sufficientlie providit in armes, and be in reddiness prepairit with all diligens to repair whair and when he think fitting, vpone 48 houris aduertesement, with 15 dayis lone. These ar thairfoir to requyre and command yow, or ony of yow, vpone the sicht heirof, that ye pas to the marcat cross of New Abirdein, heid brughe of the schyre, and thair be oppin proclamatioun, in his Hines name and auchtoritie, mak dew and lauchfull publicatioun of the premissis; and with all, in his Majesteis name, and als in our name as his liuetennand, to requyre, command, and charge all and sindrie erllis, lordis, barronis, heritouris, schireffis, prouestis and balleis within burrowis, and all vtheris his Majesteis leiges, alss weill to brughe as to land, regalitie as royaltie, of whatsoeuer qualetie, rank, place, office, or conditioun, betuixt 60 and 16, to be sufficientlie provydit in armes, and to be in reddiness and prepairit with 15 dayis lone, to ryss, concur, assist, and pas forduard with ws his Majesteis liuetennand, in his Majesteis seruice, or with ony vtheris authoreisd be ws, whensoeuer we

The tennour of this proclamatioun set out in his own name.

sall caus give dew and lauchfull aduertesment vpone 48 houris to that effect, wnder all hiest pane and charge that efter may follow. Like as, also, we requyre and command you in our Soueraigne lordis name, and in our name, as liuetennand foirsaid, to expreslie inhibeit and discharge all convocationis and gadderinges whatsoeuer of his Majesteis good subiectis, at whatsimeuer tyme heirefter or place, not being authoreisd be our warrand for that effect, as thay will ansuer at thair hiest perrell; quhairanent thir presentis salbe your sufficient warrand, subscrivit at Abirdein the 16th of Marche, 1639. *Sic subscribitur,* HUNTLIE.

It is subscrivit with his own hand.

He send out the like charges aganes the Lord Fraser, the laird of Monymvsk, the laird of Leyis Burnet, the laird of Kermvk, and diuerss vtheris of the pryme covenanteris in this country, in Buchane, Mar, Mernis, Gareoche, and diuerss vtheris pairtis in the northe. And siclike chargeing the antecovenanteris, nobles, barronis, and gentrie, by giving ilk one coppeis to meit him as liuetennand in thair best armour, with 15 dayis lone vpone the 25th of Marche, conforme to the charge aboue writtin, at Innerurie, as place apointit. Like as, in all haist he send and causit mak proclamatioun in forme foirsaid at the marcat crossis of Banf, Elgin, Forress, Narne, and vther burrowis north.

He sendis out charges aganis sindrie covenanteris, and likwaies aganes ante-covenanteris to meit him at Innervrie.

The like chargis vsit at sindrie burrowis.

Notwithstanding of this liuetennandrie, and charges and proclamationis following thairvpone, thair wes littill or no obedience givin thairto, bot the covenanteris (haueinge thair awin intelligens from the counsall table) misregairdit the samen alluterlie, thinking ons to be maister of the armes that wes cum home to the Marques; as thay war indeid, as heirefter do appeir.

No obedience givin by the covenanteris.

Now as the Marques is thus occupeit, the Oldtoun and Spittell boundis wes musterit wpone the 22nd day of Marche, who wes musterit abefoir vpone the 13th of the said moneth, rankit and numberit with the men of Seatoun, in presens of the bischop of Abirdein, and the laird of Cluny his ballie deput, at the Dovkat Grein, and estimat to the number of aucht-scoir persones, waik, febill, and vnarmed bodeis for the most pairt. The Marques directit thriescoir mvskattis, staves, pulder, calmes, leid, and matche, and threttie pikis, for helping to arme thir people, and tuke thair tikkettis for the price or restitutioun in maner foirsaid.

The Oldtoun musteris.

Thair number.

Armes directit to thame, and to the Spittell, and Seytoun.

Now the Oldtoun people thus armed, with the people of Spittell and Seatoun, wes musterit as said is, and drawin wp in array to the

Thay ar chargit to meit the Marquess at Innervrie.

Oldtoun cross, quhair thay war all chargit to go meit the Marques of Huntlie, the foirsaid 25th of Marche, at Innervrie, with 15 dayis loane, quhilk they obeyit, and went out of the Oldtoun, Spittell, and Seatoun, about 200 men, and diverss mvskiteiris out of New Abirdein. Thus wes the countrie people drawin to sic extremetie, that thay knew not whome to obey, whidder the Kingis proclamatiouns and his livetennandis charges, or the covenanteris commandment.

Thay go and diuerss mvskiteiris out of New Abirdein.

Vpone the foirsaid 22nd of Marche, the colledge of Old Aberdein left desolat; maisteris, memberis, studentis, and scolleris takis all the flicht, heiring of the cuming of the covenanteris to Abirdein with irresistabill forces, and kest wp the college yettis. Thay had resauit abefoir of the Marques armour tuantie mvsketis, and 30 pikis, for defens of the colledge, of the price and conditioun foirsaid; bot thay did littill good seruice, bot wes plunderit fra thame, sie folio .

The college of Old Abirdein castis up thair yettis, and takis the flicht.

Thay coft sum mvscatis and pikis, quhilkis war plunderit.

Vpone the 25th of Marche, being Mononday, the Marques lap on in Abirdein, about 100 horss, haveing the Lord Seaytoun then in his company, with his dochteris and barnes, and rode altogidder that samen day to Innervrie, and left directioun to transport his haill famelae, man seruandis and wemen seruandis, insicht plenishing, goodis and geir, out of Abirdein to Strathbogie, that samen day; quhilk wes done becaus he had gottin sure informatioun that the covenanteris wes cuming with ane army in all haist to Abirdein, and aganist him self also. Aluaies he rydis forduard to Innervrie, and flitis and removes out of Abirdein vpone the heiring of the covenanteris cuming, and vpone the particular ressone following; whiche wes, he being duelling in Abirdein, thair cam to him James Burnet of Cragmyll, with sum vther weill affected freindis, schowing the covenanteris wes gathering, and that thay had ane conventioun to be at Old Montroiss schortlie, resolveing to cum to Abirdein, who wold the contrair, and publishe thair assemblie actis, and viseit the Oldtoun college, and to tak ordour with the ante-covenanteris and outstanding ministeris in this countrie in all haist, seing the haill kingdom wes obedient except Abirdein, and the Marquess and sum of the northe; and thairfoir desyrit his lordschip, out of love, (but ony warrand) that he wold be pleissit to behald thame to go on, vtheruayes thay war making sic preparatioun that

The Marquess rydis to Innervrie.

Directis to flit his housshold to Strathbogie.

Heiring of the cuming of ane army.

The Marquess is advertisit of the covenanteris gathering, to cum to Abirdein, be sum freindis.

Thay wold publish thair assemblie actis.
And viseit the Oldtoun college.

Counsall givin to the Marquess be freindis.

thay wold cum, and micht not be resisted. Thairefter thay went to the counsall of Abirdein, desyring thame willinglie to cum in and subscrive the covenant, obey the assemblie actis, and suffer thame to be publishit, and suffer the Oldtoun college to be viseit, and contribute in expenssis and all vther thinges with the covenanteris fra the begining of this bussines, vtheruaies it wold stand to thair schame and skaith by thair expectatioun. The Marques, and the prouest and balleis, hard all, bot gave littill ansuer to thir freindis. Aluaies thay go to counsall to sie what wes best to be done; and in end concludis, that the Marquess sould send to this conventioun, holdin be the covenanteris at Montroiss, tuo freindis in commissioun, and the toune suld send vther tua commissioneris to thame, to wnderstand thir covenanteris mynd. Like as, his lordschip send Mr. Robert Gordoun of Straloch, and doctor Gordoun, medicinar in Old Abirdein; and the toune send doctour Johnstoun, phisitian in New Aberdein, and George Morisoun, burges thair, vpone the 21st of Marche, to Old Montross, whair the Erll of Montroiss, the Erll of Argyll, the Lord Covper, and diuerss vtheris covenanteris had thair meiting. The commissioneris declairit thay war send fra the Marques and brughe of Abirdein, (heiring of thair gathering of forcess) to demaund if thay had ony intentioun aganes thame, or to persew, injure, or molest thame be armes; if thay had sic intentioun to aduertess thame, whairby thay micht be vpone thair gaird; if vtheruaies, to send thame assureans be wreit of thair peciabill resolutioun.[a] Whairvnto ansuer wes maid to the saidis commissioneris, thay war not to do ony wrong violentlie, bot aganist suche as stood out aganist thame and thair covenant; and that thay wold stryve to compell thame to yeild, who wold not submit willinglie; forder assureans be wreit thay wold not grant. The commissioneris told how the Marques and brughe of Abirdene wes peciablie set, obedient to the King and his lawis, and daylie wissing the weill and quyet of the kingdome; and thairfoir luikit not to be invaidit nor perseuit without doing any wrong. The commissioneris gat no vther ansuer, bot returnit bak to Abirdein, and told the Marques and the toun thair ansuer, and that thair wes gryte appeirans of truble to follow; quhilk bred no

Abirdein is advisit to subscrive the covenant, and suffer the assemblie actis to be publishit, and to contribute with the covenanteris in expensis, be the same frendis.

The Marquess and Abirdein gave littill ansuer.

Thay go to counsall, concludis to send commissioneris to Montross, quhair the covenanteris had ane meiting.

The commissioneris questions.

Ansuer maid thairto.

The comissioneris declaratioun.

No ansuer maid thairto moir nor befoir.

Thay return to the Marquess, and to Abirdein with thair ansuer.

[a] See Gordon's Scots Affairs, vol. ii., pp. 220, 221. et seq.

small miscontentment to the Marques, and gryte feir to the brughe of Abirdein. Aluayes, vpone the recept of this ansuer, the Marquess haistellie resolves to leave Abirdein in the midst of thair distressis, takis his children with him, with whome also hapnit thair to be the Lord Seytoun, and leaves directioun to his seruandis to flit and remove thame selfis, goodis, and geir efter him to Strabogie, gois to horss, and vpone the 25th of Marche cums to Innervrie, whair thair met him about 5000 brave gentilmen, quhairof thair wes 1000 horss in gude ordour, and weill armit; bot the Erll of Findlater, quhom he cheiflie expectit, cam not thair. The Marquess causis draw thame wp in order of battell, and wes glaid of thair cuming; who cam, sum for feir and obedience of the liveten-nandrie, bot most pairt wes of his awin vassallis, dependans, freindis, and folloueris. Efter this view, thay campit thair all nicht, and vpone the morne the Marquess gois to counsall, whair it wes found expedient to dissolue this army, inrespect of the great army cuming haistellie from the south, who had grite assistans heir in the north reddie to meit thame, whiche hardlie he with his pouer could resist or defend. Whairvpon the Marquess, efter a good countenance, thanking the people for thair obedient cuming and conveining, gave thame leive to go home, and dissoluit without more ado; and him self rydis to Strathbogy. Many mervallit at this purpoiss, sum holding opinioun the Marquess micht have stayit and givin the covenanteris battell; vtheris alledgit it wes most dangerouss, and the chance of warr vncertain, so that if he had foughten and bene overcum, him self, his kin, freindis, and thair landis, had bein alluterlie spoyelit, wrackit, and vndone, without any appeirans of help or recoverie. And if it hapnit him to be victorious, the covenanteris wes able to renew battell, and bring the haill body of the countrie aganes him, whiche he wes vnhabill to gane stand, and had no hope of help fra the King, nor appeirans of thankis at his handis if he had enterit in blood, yea suppose he had bene victoriouss. Howsoeuer men judgit and thocht of this bussines, the Marques took this courss, and dissoluit as said is.

The Marquess leaves Abirdein.

He gois to Innervrie.

His army and number thairof.

Thay encampit.

The Marquess gois to counsall.

Thay get libertie, and dissoluit.

Him self rydis to Strathbogy.

Diuerss opiniouns anent the dissoluing of this army.

About this samen tyme, the Marquess fut post callit Williame Nicolsone, ather going to the King with letteris, or cuming fra him with letteris, wes takin be the covenanteris, and his letteris maister-

The Marquess letteris intercepted, and deliuerit be a knave.

Sie follo 698.

fullie spoilzet fra him; quhairat the Marques wes offendit, as he had ressone, for his awin letteris wes keipit wp aganes him self. Yit done willinglie be the post, and hangit thairfoir, folio 698.

The castell of Edinbrugh takin in.

Word cam also that the castell of Edinbrugh wes randerit be ane [Archibald] Haddan, brother to the laird of Glanegask, wnder capitane thairof, to the toun of Edinbrugh, and takin in be thame.

Abirdene is in hard cace.

The nobill brughe of Abirdein daylie deavit with the cuming of ane army, and pondering and considdering gravelie the ansuer whiche cam fra the covenanteris to thame, and with all how the Marquess had left thame in whome thay had especiall confidenss, and deserting his army at Innervrie, as ye haue hard, far by thair expectatioun, and seing no help cuming from the King, thay began

Thay ar hartless and helpless.

then to be hartles and comfortles, and alluterlie to dispair, not knowing what courss to tak; the toun also being divydit amonges thame selffis, sum following the King, sum following the countrie

Thair resolutioun.

and thair covenant. At last, efter diuerss consultatiounis, they conclude to give it over, and to quyte the causs, and to think all thair panes and travellis takin in this bussines to be cleirlie lost and tynt; and thairfoir, seing thay war not able to mak defenss aganes the in-

Thay quyt all defence.

cuming of this army, resolues to cast thair suordis from thair sydis, quhilk wes then daylie worne, leave of thair mustering and dreilling, casting of ditches, keiping of watches or cat-bandis, removit thair ordinans af of the calseyis with thair forticfiationis, kest oppin thair portis, and maid them reddie to give the army peciabill

Thay will give peciabill entress.

entress within the toune, but impediment, suppose sore aganist thair

Ilk man dois for him self.

willis. And in the meintyme ilk man began to luke to his awin particular weill, for eschewing of this imminent danger. Sum removit thair best goodis out of the way, vther sum fled the toune with thair wiffes and barnes. Amonges vtheris, thair fled be sea

60 brave touns men gois be sea—thair ordour.

about 60 of the bravest men and yuithis of Abirdein, weill armed with suord, muskat, and bandilier, as excellent cavilleires. Thay took one of the tounes cullouris and Johne Park thair drummer

Thair ressone.

with thame, and resolues to go to the King. Thus thay all fled befoir thay war compellit to subscrive the covenant, contribute in expenssis, and sie the assemblie actis publishit, whiche thay had so

Vtheris bydis.

long withstood abefoir. Vtheris agane baid within the toun, sic as Mr. Alex^{r} Jaffray, prouest, the balleis, and vtheris covenanteris.

Aluaies, about the 28th of Marche, schippis at Torry oure tounes cavilleires in ane schip attending thair seruice. With whome schippit also Doctour Leslie, principall of the Kingis College, Doctour Barron, professour of divinitie, Doctour Sibbald, ane of the ministeris of Abirdein, (for Barron wes not ane ordiner minister then in Aberdeen, bot preichit ones in the 20 dayes, becauss he wes professour and teichit divinitie) Doctour Ross, and Doctour Goold, vther tua of the tounes ministeris; bot Doctour Ross micht not flie, becaus he wes lying sore seik. Thus all fled to England except Goold, who fled to Holland. Thair also schippit with them the lairdis of Drum, Petfoddellis, young Foverane, Balgovny, Mr. Alex[r] Irving, Robert Irving, and sum vtheris; and vpone the 28th of Marche hoysis wp saill, and to the King go thay. Bot this flicht did litle good, as efter ye may heir, folio 129.[a]

Doctour Lesly, Doctour Barroun, Doctour Sibbald, Doctour Goold fleis be sey.

Drum, Petfoddellis, Foverane, Balgovny, fleis be sea.

Doctor Forbes of Corss, Doctor Scrogie, minister at Old Abirdein, Mr. Gilbert Ross, reidar, fled all thair houssis, and throw the countrie go thay.[b]

Doctour Forbes, Doctour Scrogy fleis.

Mr. Alex[r] Middiltoun, Mr. Alex[r] Gairdin, Mr. Alex[r] Scrogie, regentis, with Mr. Robert Ogiluy, subprincipall of the Kingis Colledge of Old Abirdein, kest wp the colledge yettis, and set the studentis at libertie, and fled throw the countrie them selffis. This wes done vpone the 22nd of Marche.

The subprincipall, and regentis castis wp the college, and fleis.

The bischop of Abirdein fleis out of Abirdein vpone the 27th of Marche, with Johne Bellenden his sone, Mr. Johne Bellenden his brother sone, and Johne Blaccater his seruitour, and quyetlie throw the countrie gois he.

The bischop of Abirdein fleis.

The laird of Ethie in Angouss, with sum freindis, antecovenanteris, fled his countrie; schipit for France. He is driven be tempest to Dumbar. Thay ar all takin, schip and goodis, and all wardit;

The Laird of Ethie fleis

[a] See Gordon's Scots affairs, vol. ii., p. 225.

[b] 'Upon the certain report of the comeing of the suthern armie to Aber-, dene, I went to Corse vpon the 25th day of March, and returned to Old Aberdene the fyft day of Aprill at even; where vnderstanding the hard and threatning manner of dealing used by the covenanters, in requyring men to joyne with them in theire course, and that ther hade bene a summonds against me given in at my dwelling house, I tooke journey that same night secreitly, and went to Buchan, where I remained till the southern army was retired from Aberdene southward; and I returned to Aberdene vpon the 10th day of April.' (Diary of Dr. John Forbes, fol. 63.)

yit vpone conditionis thay ar set at libertie, and thair goodis restoirit.

Oure barronis and burgessis fled to the King, bot tynt thair trauell; and our doctoris also.

Now oure Abirdenis men and countrie barronis fled all to the King, to complane vpone the disordouris of the land, and feiris that thay war wnder, throw occasion of this covenant; bot thay tynt all thair trauell, and wes forsit to cum hame agane, as ye may heir,

Doctour Barron deceissit at Bervik, and Doctour Ross in Abirdein; and Doctour Goold returnit from Holland.

except Doctour Barron, who depairtit this lyf at Bervik, the day of August,[a] and Doctour Ross deceissit in Abirdein in the samen moneth. So thir tua lernit doctouris deceissit, and Doctour Goold returnit home from Holland, and the rest from England, as ye haue, folio . Doctour Sibbald cam not hame, bot stayit in England.

The bischop of Abirdein leaves preiching.

The bischop of Aberdein wes hardlie thocht of be the covenanteris, for preiching ilk Sabboth to the 24th of Marche, and giveing of the commvnioun, as ye haue hard, efter he wes excomvnicat, bot he teichit no more.

The assemblie rootis out the bischopis.

Thus the assemblie foirsaid, without auchtoretie of the King, and expres aganis his command, cled with the lawis, excomvnicat and deprivit bischopes as thay pleisit from thair places, digneties, and rentis, to the admiration of many, aganist the lawis and thair owne consciences.

The ministeris thunderis out of pulpitis, to mantane the good causs aganis anchtoretie.

Now the ministeris of Edinbrugh and elsswhair beginis to preiche boldlie out of pulpitis, exhorting the people to mantane this good causs, whairvpone thay went on furiouslie be thair persuasioun in defens of this covenant, without the Kingis warrand or auchtoritie.

The counsall table seis all obeyis except the Marquess, Abirdein Doctouris, and vtheris.

Now the Counsall Table, finding that thay had gottin obediens throw all the burrowis of Scotland, and throw the countrie also, and none to stand out except Abirdene and doctouris thairof, and the Marques of Huntlie, his freindis and followeris, with sum of the countrie ministeris, who tuke thair dependens fra the King aganes thame and there covenant; how thay wold not heir the assemblie actis publishit within thair kirkis; how thay wold not subscrive the covenant, nor contribute with the covenanteris; that thay war casting ditches, and vsing devyses to defend thame selfis; and that the Marques of Huntlie wes duelling amonges thame, the bischop also in the samen toun, giving thair advyssis and counsall; that the Marques had gottin hame armes, with ane livetennandrie

[a] See Gordon's Scots Affairs, vol. ii., pp. 86, 90.

to cross thair covenant; vpone thir ressones, and diuerss vtheris, thay raiss armes in the south, and haistellie directis Mr. James Baird and James Gibsoun, tua aduocatis in Edinbrugh, to cum quiklie to the north, and caus the covenanteris thair convein and meit thair army at Abirdene, which thay did. And thairwith resoluit ather to bring the Marques, the brughe of Abirdein, thair doctores, ministeris, and all vther outstanderis to cum in and subscrive thair covenant, and do all vther obediens willinglie, or vtheruayes to compell thame be armes to do the samen. And vpone this resolutioun thay lift thair army with gryte diligens.

Thay raiss armes, aduertesis the covenanteris to meit thame.

Thay resolue to haue obedience perforss.

In this meintyme, the Lord Fraser, the maister of Forbes, the Erll of Erroll (being bot ane young barne) his men tennentis and seruandis, wnder the conduct of the laird Delgatie, the Lord Petsligo, being also bot ane barne, his men tennentis and seruandis, wnder conduct of Alex^{r} Forbes of Boyndlie, his tutour, with diuerss vtheris barronis and gentilmen, covenanteris, convenit vpone the 28th of Marche at Kintor, about the number of 2000 men, horss and foot, reddie to meit the south land covenanteris at Abirdein, as thay war directit. From Kintor, thay cam in order of battell to Old Abirdein, whair pairt war lodgit vpone the 29th of Marche, being Frydday, all that nicht, bot the most pairt lay in the feildis about the Oldtoun, abyding the cuming of the southland army. Vpone the quhilk Frydday, and 29th of Marche, thair cam in the evning to the northsyde of Tullohill, besyde Banchorie Devnik on Diesyde, within three myllis to Abirdein, the Erll of Montroiss, Lord Generall the Erll Marshall, the Erll of Kingorne, the Lord Erskyn, the Lord Carnegy, the Lord Elcho, his excellence Felt Marshall Lesly (who by his wit and valour had atcheivit to this heich titill of honor, as to be callit his excellens) with ane weill prepairit army both of fut and horss, drawin out of the schirefdomes of Fyf, Perth, Angouss, Mernis, and burrowis tounes thairof allanerlie. Thay war estimat to be about 9000 men, careage, horssis, and all, vpone horss and foot. Thay had tuo cartovis or quarter cannonis following thame, with tuelf vther peice of ordinance. Thay micht haue eselie cum to Abirdein, haueing day anewche that same nicht; bot thay wold not cum, bot stentit thair pavilionis vpon the said Tullohill, and restit thair all nicht.

The covenanteris in the north rysis.

Thay convein at Kintor.

Thair number.

Thay cum to Abirdein, and lodgit in the Oldtoun, abyding the cuming of the army.

The armie cums to Tulloch hill.

Thair number, and cannon.

Thay cum in battell rank to Abirdein.

Vpone the morne being Setterday, thay cam in order of battell weill armit both on horss and futt, ilk horsman haveing fyve schot at the leist, quhairof he had ane carrabin in his hand, tuo pistollis be his sydis, and vther tua at his sadill torr. The pikmen in thair rankis [with] pik and suord; the muskiteiris in thair rankis with mvscat, mvscat staf, bandileir, suord, pulder, ball, and matche. Ilk company both on horss and fut had thair capitans, livetennandis, ensignes, serjandis, and vther officiares and commanderis, all for the most pairt in buffill coatis, and goodlie ordour. Thay had 5 culloris or ensignes; quhairof the Erll of Montroiss had ane, haueing this motto drawin in letteris: FOR RELIGIOUN, THE COVENANT, AND THE COUNTRIE. The Erll Marschall had one, the Erll of Kingorne had one, and the toun of Dundy had tuo. Thay had trvmpettouris to ilk company of horssmen, and drummeris to ilk company of footmen. Thay had thair meit, drink, and vther prouisioun, bag and baggage, careit with thame, done all be advyss of his excelence Felt Marshall Leslie, whose counsall Generall Montroiss followit in this bussines. Now, in seimlie ordour and good array, this army cam forduard and enterit the brughe of Abirdein, about ten houris in the morning, at the Over kirk get port, syne cam doun throw the Bredget, throw the Castell get, out at the Justice port to the Queinis lynkis directlie. Heir it is to be nottit, that few or none of this haill army wantit ane blew ribbin hung about his crag doun wnder his left arme, quhilk thay callit *the covenanteris ribbin*, becaus the Lord Gordoun, and sum vtheris of the Marques barnes and famelie had ane ribbin, when he wes duelling in the toune, of ane reid flesche cullour, whiche thay weir in thair hatis, and callit it *the royall ribbin*, as a signe of thair love and loyaltie to the King. In dispyt or derisioun quhairof, this blew ribbin wes worn, and called *the covenanteris ribbin* be the haill soldiouris of this army, and wold not heir of the royall ribbin, sic wes thair pryd and maleiss. Thair cam to the lynkis the samen Setterday, fra the Oldtoun and feildis about, the Lord Fraser, the maister of Forbes, the laird Delgatie, the tutour of Petsligo, the Erll Marschallis men in Buchane, with diuerss vtheris barronis, thair men tennantis and servandis, about the number of 2000 horss and foot, and met with the army in kyndlie maner. Schortlie efter thair cuming ane generall muster wes takin of the

Thair armes and furnitour.

Thair ordour, and rankis.

Thair capitanis, and commanderis.

Thair cullouris.

Montroiss motto.

Thair trompettouris, and drummeris.

Thair provisioun bag, and baggage

Felt Leslie devyser.

Thay cum to Abirdein, and marches throw the toun, to the Queinis lynkis.

The covenanteris ribbin.

The Royall ribbin.

Our Northland men meitis the army in the lynkis.

Thair number.

Ane generall muster.

haill army, who wes estimat about ellevin thousand men, horss and foot, carriage horss and all. Mustar being maid, all man wes commandit, be sound of trvmpit in Generall Montroiss his name, to go to brakfast, ather in the lynkis or in the toun. The Generall him self, the nobles, capitanes, commanderis, for the most pairt, and soldiouris, sat doun in the lynkis, and of thair awin provisioun, vpone ane servit on thair knie, took thair brakfast; vtheris went to the toun, and as thay war commandit, returnit schortlie to the army, who complanit thay war not maid welcum, and payit deir for sic as thay gat. Aluaies, ane vther view wes takin of the army, and sum waik armles bodeis gat libertie from the Generall to go home. Thairefter the Generall send for the prouest, Mr. Alex[r] Joffray, and told him that his soldiouris who went to the toune culd not get welcum nor meit, albeit he directit thame to tak nothing for nocht, and for sic as thay gat thay war extorsioned. He said likuaies, the toune of Abirdein, vpone thair gryt expenssis and sore travellis, wes casting ditches to stop thair army, and vseing many vther devises to withstand thair cuming, quhairin thay provit moir wilfull nor skilfull, and had loist all thair labouris for all thair bussinessis; thairfoir he commandit the prouest in all haist to caus fill up these ditches, to the effect his army micht pass and repass without impediment, and in the meintyme to sie that his soldioris micht be weill intertynneit without extortioun, as occasioun offerit, whiche the provest humelie promesit, and so performit, and causit the tounes men haistellie to fill wp the ditches.[a]

Thair number.

Thay go to brakfast.

Sum complanit vpon the touns intertynnement.
Ane vther view takin of the army.
Sum waik bodeis ar dischargit.
Prouest Joffray is send for.
The generallis conferenss with him.

Ditches commandit to be fillit wp.

The soldiouris to be intertynneit kyndlie—all is obeyit.

Efter thir speiches, the army immediatelie wes agane drawin wp, and the Erll of Kingorne with 1500 men had order to go to Abirdein, tak in the toun and watche the same, and to send efter the army tuo cartowis or quarter canons, haueing the bullet about 24 pund wecht. Conforme to this ordour, efter Kingorne had takin his leive fra the Generall in the lynkis, cam wp to the toun the samen Setterday, with the lairdis of Benholme, Auldbar, and diuerss vtheris men of mark with his company. The Erll with sum vtheris lodgit in skipper Andersones, to whome cam the prouest and balleis, and humely randerit to him the keyis of thair tolbuith, thair

The army is agane drawin wp.
The Erll of Kingorne direct to watch Abirdein.
And to send efter the army tua cartouris, when thay cam to Abirdein.

The Erll lodgis in Skipper Andersons.
The keyis ar randerit.

[a] See Gordon's Scots Affairs, vol. ii., pp. 227–8.

Soldiouris ar quarterit. kirkis and portis. He causis quarter his soldiouris, settis ane strong

Watches set. watche, both day and night at ilk port, of mvskiteiris. None, day nor nicht, went in nor out bot by thair permissioun. Thay war cloissit ilk evening, and opnit in the morning about 7 houris. Now

Abirdein is now brocht wnder subiection for byding be the King. brave Aberdein, who went wyslie to guard thame selffis, is now brocht wnder subiectioun, and commandit be ane stranger governour, becauss thay war loyall to the King, dependit vpone his protectioun, proclamationis, and missive letteris, whiche now aganes thair expectatiouns had altogidder faillit them, to thair gryte greif,

No brughe trublit bot thay. schame, and sorrow; and none of all the brughis of Scotland brocht wnder this trubbill and vexatioun bot onlie Abirdein, bot patiens perforss. Governour Kingorne, for so the Erll is now styllit governour of Abirdein, the same Setterday at night, efter he had receavit the tounes keyis, receavit also from the ladie Petfod-

Governour Kingorne receavs the keyis of Petfoddellis houss. dellis the keyis of that lodging, whairin the Marques had lodgit

Ane rakeless schot. schort-while abefoir. Bot at the delyverrie of thir keyis, thair wes ane suddant fray amongs thame, throw occasioun of ane schot rakleslie lettin go in the same houss, quhair the governour and the ladie with vtheris war togidder. None knew quhairfra nor how this schot cam, for all the tryell culd be maid. Aluaies, the ladie

The Lady Petfoddellis loissis hir pvrss. in the tumvlt and preass loist her pvrss, weill plenishit with gold and ryngis, and culd not get the same agane; and so scho took hir leive of the governour of Abirdein, leaving with him the keyis of hir husbandis hous in Abirdein, and wanting her pvrss also; bot

Scho getis bak hir keyis agane. scho wes restoirit bak to her awin keyis, bot forder molestatioun, sie folio 99.

The generall marchis touardis Kintor. Efter the Erll of Kingorne had receavit orderis in the lynkis, as ye haue hard, Generall Montroiss immediatelie thairefter, and vpone the samen Setterday efternone, the 30th of Marche, cam not to Abirdene as the toune expectit; bot fra the lynkis, about 4 efternone, marchit touardis Kintor, with his army in brave ordour, whair that nicht thay incampit, and Sonday all day also, haveing thair awin

Thair minister. minister, and heiring preiching.

Thay march to Innervrie. Mononday the first of Aprile, thay marchit touardis Innervrie, tuo myllis distant, whair thay stentit thair pavilionis that nicht.

The Marquess consideratioun. The Marques of Huntlie, heiring of thair marche, wnderstood certanlie thair cuming wes for him, (as it wes indeid) and to bring

him perforss to thair opinioun. He considderit the tyme, and saw he could not mak his pairt good, and that he had gottin no help fra the King as wes promesit, resolvit suddantlie to tak the best courss for him self, to saif his honour, his houssis on spolzeit, and his freindis and seruandis on plunderit. And heirvpone, vpone the foirsaid first of Apryll, he sendis Mr. Robert Gordoun of Straloche, and Doctour Gordoun, phisitian, induellar in Abirdein, to Innervrie to the camp, befoir thay sould marche farrer on, and speik with the Erll of Montross, Generall, and to desyre him to cum, ellevin and him self, with ane suord at ilk manis syd, bot ony moir armour, at ane Spar mvre neir to Blakhall, tuo myllis distant fra the camp, whair the Marques of Huntlie sould meit him with the like number and single suordis, to the effect thay micht confer togidder vpone this bussiness. The Generall wes content (be advyss of the nobles and Felt Marshall Lesly, and vtheris, capitanes in the camp) to meit the Marques the 4th of Aprile nixt, being Thuirsday, place and maner befoir specifiet, sie moir, folio 99.[a]

His resolutioun.

He sendis tuo commissioneris to the camp.

He meitis with the generall—the maner and number how thay met.

Felt Leslie and vtheris consentis.

Vpone the first of Aprile, governour Kingorne directit to Old Abirdein 20 mvskiteiris to tak ane of the Marques of Huntleis fut postis called Jacques, who wes presentlie cum fra the King with letteris to his maister. He is had to Abirdene and wardit in the tolbuith; of whome ye sall sie more, folio 105.

The Marquess foot post is takin, and wardit in Abirdein.

Vpone Tuysday the 2nd of Aprile, governour Kingorne causit transport tuelf peice of ordinans pertening to the toune, from af the calsey, and carie thame in to the Erll Marschallis cloiss, and anent his yet.

The tounes ordinance takin to Marschallis cloiss.

Vpone this Tuysday, word cam to Abirdein that Dumbreton, the Kingis houss, wes takin in be the covenanteris by ane prettie slicht, whiche wes thus. The capitane thairof called Steuart, a religious gentilman, trew to the King, hapnit vpone ane Sonday to go heir deuotioun at ane churche without the castell, feiring no evill nor danger; bot he is suddantlie takin by the covenanteris, who wes

Dumbreton is takin in by a slicht.

The maner how.

[a] The meeting had been arranged to be held at Lowesk, in the parish of Rayne, on the old highway from Aberdeen to Strathbogie; 'but when Huntly cam ther he chaunged his resolution, and rode forduards to Innerowrye; and the treaty was holdne ther twixt him and Montrose, hard by the covenanters quarter.' (Gordon's Scots Affairs, vol ii., p. 230. *Note*).

laid for him. He is compellit to cast af his clothis, whiche wes schortlie put vpone ane vther gentlemen of his schape and quantetie, and he pat on his clothes vpone him agane. Thus, apparrell interchangeit, thay commandit this capitane, wnder pane of death, to tell the watche word, whiche for feir of his lyf he treulie told. Then thay go in the nicht quyetlie, on sein be the castileans, and had this counterfut capitane with thame, who cryit and callit by the watche word; whiche hard, yettis ar cassin wp, in gois thir covenanteris with gryter pouer nor wes within to defend, takis in this strong strenth, manis and fortefeis the samen to thair mynd.

It is takin in by the covenanteris.

The Royall ornamentis takin be the covenanteris out of Dalkeyth, and had to the castell of Edinbrugh.

The Kingis houss of Dalkeith wes also takin in by the covenanteris; out of the whiche thay took the royall ornamentis of the croun, sic as croun, suord, and scepter, and had thame to the castell of Edinbrugh; quhilk castell wes also takin in be thame, sie befoir, folio 52. Thir royall ornamentis wes convoyit befoir and hiddin in Dalkeith.

Ane committe holdin in Abirdein.

Vpone this same Tuysday and second of Aprile, thair wes ane committe holdin within the Grey freir kirk of New Abirdein, be governour Kingorne, the maister of Forbes, (who cam for that purpoiss fra the camp) the lairdis of Auldbar, Benholme, Dun, Leyis, with sum vtheris. Mr. Dauid Lyndsay, persone of Belhelvie, wes said to be moderatour of this committe. To the whiche committe, vpone the 24th of Marche abefoir, wes summondit, in name of the assemblie and moderatour, the principall of the Kingis College of Auld Aberdein, the four regentis, canonist, doctour of medicyn, ciuilist, sacrister, chantour, foundit memberis thairof, as also the haill doctoris and ministeris of Abirdein, sic as Doctour Johne Forbes of Corss, professor, Doctour Leslie, principall foirsaid, Doctour Scrogie, minister at Auld Abirdein, Doctour Barron, Doctour Sibbald, Doctour Ross, thrie ministeris at New Abirdene, togidder with all and sindrie ministeris within the province or diocie, who had not as yit subscrivit the covenant, to compeir vpone the second day of Aprile thairefter, within any of the Abirdeins whair it suld happin the moderatour and his assessoris to be for the tyme, and thair to wnderly sic censur, and with certificatioun, contenit in the principall summondis. Thus war thay summondit to this foirsaid second of Aprile, bothe churchemen, nobles, barronis, burgessis, and com-

The principal of the Kingis College, maisteris and members thairof, doctoris and ministeris, ar summondit to compeir befoir this committe.

The rest of the ministeris of the province war also summondit.

Vtheris barronis, burgessis, and gentrie, who had not subscrivit the covenant, war summondit.

monis. Whairvpone the prouest, balleis, counsall, and communitie of Abirdein, (who had stiflie stand out befoir) cumis now in perforce, (so mony of thame as war at hame and not fled) diuerss of the ministrie of the diocie, gentilmen, and vtheris cumis all in throw plane feir and perforce, and humelie subscrives and sweires this covenant, albeit thay had suorn the kingis covenant abefoir, thay be thair gryte aith sueir to byd be this covenant now subscrivit. The ministeris of Abirdene wold not cum in vpon no condition to subscrive this covenant; and the principall and memberis of the Kingis College wes not at this tyme callit, and nothing done aganist thame. This committe sat Tuysday, Wednisday, Thuirsday, Frydday. Thay contynewit sum bussines to the 16th of Aprile, being ane provinciall assemblie; and so this committe dissoluit, refering the rest to this provinciall assemblie, to be holdin at Abirdein the foirsaid 16th of Aprile, sie folio 104, of ane committe holdin the 10th of Aprile, in the said college.

The prouest, balleis, counsall, and committe, with diuerss of the ministrie and gentrie, cums in, and subscrives.

Doctour Barroun, Professor Forbes, Doctour Sibbald, Doctour Ross, Doctour Goold, war the thrie ministers—Doctour Goold had subscrivit with limitatioun abefoir, sie folio 54, bot the vther thrie had not, nor wold not subscrive the covenant. The principall and regentis not callit This committe dissolues.

Vpone Wednisday the 3rd of Aprile, the governour Kingorne causit tak wp inventar of sic goodis and geir wes within the laird of Petfoddellis hous, alsweill pertening to the laird himself, as that whiche the Marquess left behind him at his removing thairfra. And inuentar being takin, he causit redelyver bak agane to the ladie Petfoddellis hir keyis, whiche he had takin abefoir, but ony more molestatioun, hurt, or preiudice to sic goodis as wes thair, ather belonging to the Marques or to hir husband.

Inventar takin of the goodis within Petfoddellis houss, and the keyis redeliverit.

The same Wednisday the governour foirsaid causit quarter the toune of Abirdein, and commandit the prouest and balleis to sie the samen done, to the effect knouledge micht be had how the army at thair bak cuming sould be sustenit.

Ordour givin for quartering Abirdein agane the bak cuming of the army.

Thuirsday the 4th of Aprile, the laird of Auldbar with sum soldiouris cam over fra the toun of the Oldtoun, and haueing gottin knouledge that the people had hid sic poor armes, as thay had, from this army, within sum of the kirk voltis, he maisterfullie took the keyis and mellit with the armes; bot thay war restoirit bak agane except 10 mvskatis, sie folio 100.

Oldtoun armis plunderit, bot restoirit bak, except 10 mvscatis.

And in the meintyme, sum of his rascall souldieris began (whiche none did befoir) to abuse the bischopis staitlie pallace, and spoilzie the samen, aganes Auldbaris will and commandment, sie 100.

The bischopis houss abusit.

The maner of meiting betuixt the Marqueis and General Montroiss on Thuirsday the 4th of Aprile.

Ye hard befoir, folio 98, of ane meiting drawin on betuixt the Marques of Huntlie and Generall Montroiss. The 4th of Aprile being Thuirsday, the Marques cam, ellevin and him self, with onlie suordis be thair sydes, quhairof the Lord Oliphant and his sone James, Lord Aboyne, wes tua. The Generall in like maner met him at the place apointit, with ellevin and him self, in lyk armes, quhairof the Lord Elcho and Lord Covper wes tuo. Efter salutatiounis thay lichtit fra thair horss, and vpone foot fell to confeirenss, bot nothing wes endit; yit both took to be advysit whill the morne. Thay partit, the Marques rode that night, tuo myllis fra the camp, to Leggitsden, whair he sovpit, and went all nicht to Petcapple to his bed, and the Generall returnit bak to the camp, without whome he could do nothing, and so had thair advyse.

Thay lichtit and conferrit togidder, bot nothing endit.
Thay took to be advysit, and partis.
The Marqueis gois to Petcapple efter supper—the generall to the camp.

Thay meit again—conditiouns past, and subscrivit be the Marqueis.

And vpone the morne, being Frydday, and 5th of Aprile, the saidis lordis met agane in the same place, and form foirsaid, quhair it wes said the Marques past sum conditiouns in wreit, obliging him to stand to the Confessioun of faith maid in anno 1580 and anno 1581, and that he wold defend the King, the religioun, lawis, and liberteis of the kingdome to his pouer; that he wold do his best to caus his freindis, men tennentis and seruandis, subscrive the covenant, vtheruaies to behold thame. Thir wes the conditionis, as wes alledgit, quhilk the Marques subscrivit and deliuerit to the Generall. Thairefter thay pairtit in peace without dissimulatioun, as wes thocht. The Marquess went not neir the camp, bot straight to Strathbogy, and the Generall rode cloiss to the camp, quhair, efter consultatioun, thay war weill pleissit, and he praisit for his panes, sie more, folio .

Thay pairt in peace.

The Marqueis rod to Strathbogie, and the Generall to the camp, quhair he was praisit for his panes.

Benholme and Auldbar with mvskiteris, cumis over to the Oldtoun.

Vpone the samen Frydday, and 5th of Aprile, the lairdis of Benholme and Auldbar cam over out of the Newtoun to Old Abirdein, accompaneit with soldiouris and mvskiteiris. Thay first hard deuotioun; Mr. James Martyne, minister at Peterheid, being with thame, preichit in the Oldtoun kirk, vpone the last verss of the 28th psalme. He labourit to condempne episcopacie, and to persuad the people convenit to subscrive the covenant. Sermon endit, the saidis barronis, the said minister, with sum vtheris, went to the consistorie hous, whair the Oldtoun people also flokkit; and albeit the most pairt of thame had subscrivit the Kingis covenant abefoir, yit

Mr. James Mairtyne teichit, persuading the people to subscrive the covenant.

for plane feir of truble, and plundering of thair goodis, being kingless, helples, freindles and moyanless, thay subscrivit over agane this thair covenant. Thir tua barronis, with the said Mr. James Martyne, subscrivit the samen first. Thairefter Mr. Thomas Sandilandis, commissare of Abirdein, and Mr. James Sandilandis his brother, commissare clerk, and all the rest of the Oldtoun followit. This being subscrivit, the laird of Auldbar gave bak to thame the key of the voltis quhair thair armour lay, that ilk man micht receave bak his owne; sua that thair wes onlie ten mvscatis wanting, convoyit away be Auldbaris soldiouris.

The Oldtoun peopill subscrives over agane the covenant.

The Oldtoun getis bak thair armes except 10 mvscatis.

In the meintyme, thir rascall soldiouris fell to agane abuse the bischopis pallace, enterit the yettis and durris, and began to spolzie the samen; bot indeid Auldbar himself (aduertesit thairof) went him self and chaissit thame away, so that thair wes no wrong done that day. Thairefter the lairdis of Benholme and Auldbar, with thair soldiouris, and Mr. James Mairtyne, returnit bak agane to the Newtoun, bot ony moir skaith.

The soldiouris abusis the bischopis houss, bot ar stayit.

Thay returne with maister Mairtyne to Abirdein.

The samen Frydday, and 5th of Aprile, word cam to Abirdein that the Marquess and the army had satled and endit, chargeing thame to mak proclamationis throw the toune for prepairing of lodginges, roumes, and intertynnement to the army, vpone thair owne expenssis; quhilk wes done be the prouest and balleis at the governouris command.

Proclamatiouns to prepair lodging to the army.

Thus, vpone Setterday the 6th of Aprile, the army liftit thair camp fra Innervrie, and began to marche touardis Abirdein. Be the way, thair cam and met the army tuelf hieland men, who declairit to the Generall that the Erll of Argile, thair maister, had send out of his countreis 500 men weill armit, in hieland fashioun, with capitanes and commanderis, to attend thair seruice and seruice of him self as Generall. He receavit thair commissioun gratiouslie, thankit thair maister the Erll of Argile, and directit thame to go sorne and leive vpone the landis and bestiall pertening to the laird Drum and laird of Petfoddellis, and to hold thame togidder on seperat or brokin, and to duell vpone thir menis meins and vpone thair ground whill forder aduertesment; forbidding thame expreslie not to cum neir Abirdene at this tyme, becaus the army wes presentlie going thair thame selffis to be quarterit. Thus, the gentle-

The army liftis t hair camp.

Argyll sendis men aganis his good brother the Marquess, to assist this army.

12 hieland men cums to the generall, thair commissioun.

He thankis Argile, and sendis this company to leive vpone the Laird of Drumis landis, and alss Petfoddellis ground, to hold thame togidder whill forder aduertisment, and not to cum to Abirdein.

schall how his fatheris armes war plunderit in his boundis be the covenanteris. The Erll gave him no contentment, bot seimit to allow the samen wrong, saying his father wes not ane good covenanter, whiche maid this fault. Aluaies, when the countrie turnit peciabill, he sould caus restoir thame agane. The maister of Rea took his leive with small contentment.

He getis ane cold answer.

Ye hard, folio 101, how the army returnit to Abirdein vpone Setterday the 6th of Aprile. Vpone Sonday the 7th of Aprile, deuotioun be stranger ministeris throw all the pulpitis of New Abirdein; (seing thair owne ministeris wes fled and gone) the nobles and vtheris fillit the churches. Efter sermon, intimatioun wes maid of the sentens of excomvnicatioun pronuncit be Mr. Alex^r Hendersone, moderatour of the assemblie, aganes the archibischopis of Sanctandrois and Glasgow, the bischopis of Edinbrugh, Abirdein, Galloway, Ross, Dumblane, and Brechin, chargeing all man not to heir thair preiching, nor beir thame company, wnder panes of censur of the kirk.

Now strange ministeris teichis in the pulpitis of Abirdein.

The churchis ar fillit.

Intimatioun is maid of the excomvnicat bischopis.

Chargeing not to heir thame to preiche.

Mr. Patrik Leslie, minister at Skeyne, (Doctour Scrogie being fled and obscure) taught this samen Sonday in the Oldtoun, and maid the lyke intimatioun out of pulpit of the sam sentences.

The like intimatioun maid at the Oldtoun Kirk.

Mononday the 8th of Aprile, the Generall took wp a new muster of his army in the linkis. Sum waik persones gat leive hame. Both New and Old Abirdeins is now quarterit, and the poor bodies of the Oldtoun gat no payment for sic soldiouris as thay receavit.

A new muster.

The waiklingis is dismissit.

Old Abirdein is now quarterit, bot getis no pay.

Vpone Tuesday the 9th of Aprile, the Erll of Seafort, the maister of Lovat, the Laird Inness, the prouest of Elgin, and diuerss vtheris barronis, cam out of Ross and Morray, about 300 weill horsit gentilmen, to salute the army at Aberdein, and to offer thair service. Thay war maid welcum, and stayit whill the 13th of Aprile, syne gat their leive, and thay returnit home but more imployment.

Sindrie cums out of the north, sic as Seafort, the maister of Lovat, the Laird of Inness, and Prouest of Elgyn, with diuerss barronis, cam to Abirdein to salute the army. Thay war maid welcum, syne returnit hame.

Wednisday, 10th Aprile, ane solempne fast keipit throw New Abirdein (bot none in Old Abirdein, for Doctour Scrogie durst not be sein). Both befoir and efternone thair wes preiching and prayeres. Mr. Robert Douglas, minister at Kirkcaldie, teichit befoir none. Efter sermone he red out the covenant, and causit the haill tounes people convenit, who had not yit subscrivit, to stand wp

Fast keipit in New Abirdein, bot none in Old Abirdein.

Mr. Robert Douglass preichit.

He red out the covenant.

befoir him in the kirk, both man and woman, and the men subscrivit this covenant. Thairefter, both man and woman wes vrgit to sweir be thair vpliftit handis to God, that thay did subscrive and sweir this covenant willinglie, frielie, and from thair hartis, and not for ony feir or dreid that culd happin. Syne the kirk scaillit and dissoluit. Bot the Lord knowis that thir tounes people wes brocht wnder periurie for plane feir, and not from a willing mynd, by tirrany and oppressioun of thir covenanters, who compellit thame to sueir and subscrive, suppose thay knew it wes aganes thair hairtis.

Both man and wife forsit to sueir and subscrive.

Aluayis, brave Abirdene is forsit to obey, notwithstanding thay had small assureans of the army or good Argiles Hieland men, bot thair goodis micht be plunderit, the best quhairof thay cannelie convoyit out of sicht. So all subscrivit and sweir within the toune of New Abirdein, except sic as wes happellie out of Scotland.

Abirdene per force obeyis.

Thay convoy thair goodis out of the way.

The Kingis covenant and the countrie covenant wes thocht to be agrieabill in termes, except the countrie covenant abolishit bischopis, and the Kinges covenant approvit the samen, as his Majestie alledgit, sie heirefter, folio , anent this covenant.

The difference betuixt the Kingis covenant, and the countrie covenant.

Vpone the foirsaid tent of Aprile, the Marques of Huntlie with his tuo sones, the Lord Gordoun, and Lord of Aboyne, cam fra Strathbogie about 40 horss, sore aganist his freindis will, to New Abirdein, and lodgit in the laird of Petfoddellis houss; bot whidder it wes commount betuixt him and Generall Montroiss at thair confeirences, that he sould cum in to the toune and viseit him, or that he wes writtin for be the Generall to cum in I know not; bot it wes most constantlie reportit he wold not haue cum bot vpone the Generallis letter. Howsoeuer it wes, he cam as is said befoir.

The Marquess of Huntly cumis to Abirdein contrair his freindis will.

He lodgis in Petfoddellis houss.
It is doubtit how he cam in.

Vpone the morne, being Thuirsday, thair wes ane counsall haldin amongis the nobles, barronis, and vtheris, who also send for the Marques, who cam; and efter sum consultationis this counsall schortlie dissoluit, and the Marques returnit to his owne lodging.

Ane counsall haldin, and the Marquess is send for.

The counsall dissolues, and the Marquess returns bak to his lodging peceablie.

Like as, immediatlie thairefter, the Lord Fraser, the maister of Forbes, the lairdis of Innes, Benholme, Auldbar, and Mr. Dauid Lyndsay, persone of Balhelvie, being direct be the said counsall to go viseit the Kingis College of Old Abirdein, as thay who war apointit commissioneris by the generall assemblie, and the said Mr.

Ane committe direct to viseit the Kingis college.

Dauid Lyndsay, moderatour of this commissioun, sie folio 98. The memberis of the said college war summondit to this committe, except Doctour Williame Leslie, principall, and Mr. Alex^r Scrogy, younger, one of the regentis, who wes fled of set purpoiss fra this wark. The rest compeirit, sic as Mr. Robert Ogiluy, subprincipall, Mr. Alex^r Middletoun, and Mr. Alex^r Gairdin, tuo of the regentis, Mr. Johne Lundie, humanist or gramariar, Mr. Gilbert Ross, cantour, Patrik Innes, sacrister, and of outward memberis compeirit Doctour Gordoun, medicinar, and Mr. James Sandilandis, younger, canonist. Thay all subscrivit the covenant at this committe, and wes ordanit to mak publict repentans, sic as receavit the commvnioun out of the bischop of Abirdein his handis efter his excommvnicatioun, and this repentans to be at Maucher kirk, thairefter to contynew in thair places; bot thay war not put to it, and quyethe keipit thair roumes. The absentis wes dischargeit of thair offices. Maister Gilbert Ross, cantour, wes dischargeit as ane vnprofitabill member. Mr. James Sandilandis wes dischargit as canonist, bot he maid appellatioun to the nixt generall assemblie, and craftellie be moyan gat his place to teiche the cannon lawis be limitatioun, viz., to teiche *de matrimonio, testamentis, and teyndis*, becaus all the rest of these lawis smellit of poperie, as thay alledgit. Thir lawis being maid, thay continewit thair committe to the 15th of Maij, and causit summond the haill memberis to that effect, for taking a full ordour with the said college; bot none cam to keip this committe bot onlie the persone of Balhelvy, and swa wanting assessoures he could do no thing alone. Bot remember, thair wes no studentis in the college at this tyme, becauss thay had all fled befoir the incuming of the army, sie more, folio 180. Bot remember, at this visitatioun Doctour William Leslie, principall, and Mr. Alex^r Scrogie, younger, regent, war both deposit althogh absent.

The memberis ar summondit except the principell. and Mr. Alex^r. Scrogie younger who war fled.

The rest compeirit.

Thay subscrivit the covenant.

Thay who receavit the commvnioun out of the bischopis handis. efter his excomvnicatioun, to mak publict repentanse, but no word was of it, thay bruikit thair places.

The absentis was dischargit.

The cantour and canonist dischargit.

Appellatioun maid be the canonist.

He getis his place with limitatioun.

Thir ordouris maid, thay dissolue.

And no student nor gramariar wes in the college

Vpone Thuirsday, the 11th of Aprile, the Erll of Argyllis hieland men (at command of Generall Montroiss) cam in to Abirdene (from out the boundis of Straquhan, Drum, and Petfoddellis ground, whair thay wantit not aboundance of beif, mvttoun, and vther good fair, for littill pay) in ordour of battell, with bagpipes and hieland arms, about 500 men. Thay went about the cross in rank, and being viewit, the Generall commandit thame to go to thair lodginges,

Argilis hieland men cam in to Abirdein.

Thay went about the cross in rank.

Felt Leslie, and wes thairfoir takin and wardit in Abirdein; and now both thir men wes bound togidder and had to Edinbrugh in his company, and efter long imprissonment, and scharp tryellis, thay ar found innocent, and set at libertie out of the tolbuith of Edinbrugh.

Thay ar both set at libertie thairefter.

Thus Felt Leslie marchit vpone Good Frydday; bot in none of the Abirdeinis wes thair preiching, as wes vsit befoir vpone Good Frydday, according to the Perth articles, suche wes the change of tyme.

The foot army removed.

Now orderis put to Abirdein, the foot army dispatched, and all thinges satled, the Generall and nobles beginis to think how to captiuat and trechorouslie tak the Marques of Huntlie with thame south, as doubtless thay haid ordour sua to do befoir thay cam north, as many men thocht. Aluaies, vpone this same Good Frydday at evin, the Generall and nobles invited the Marquess and his tuo sones to supper, in thair owne lodging in skipper Andersones houss, whair thay soupit altogidder and maid myrrie. Efter supper, thay trauell with the Marquess, (as wes said) saying it war good to him to quyte his livetennandrie, and to send the samen bak agane to the King, schowing it wes stoppit at the seallis, and thairfoir none wold gif obediens to the samen in thir dangerous dayes; as also to wreit to his Majestie favorablie and freindlie of the covenanteris, as his good and loyall subiectis, and to direct vpone the morne, with the laird of Cluny, thir letteris and livetennandrie to the King. The Marques wnderstanding his livetennandrie wes not, nor could not be gottin throw the seallis, as thay said, and that but the samen he wold get litle obediens when he hapnit to haue ado, resoluit shortlie to do as thay desirit, becaus he had pairtlie ressone, and wreit his letteris, and in thair presens directit the laird of Cluny the samen Frydday at night, to tak journey vpone the morne, being Setterday, touardis the King. Thus all being endit, the Marques with his tuo sones took thair leives fra the Generall and nobles, and peciablie cam over to Petfoddellis houss, his owne lodging, and presentlie directit ane boy to go to Leggitisden vpone the morne, to haue his dynner reddy, bot he wes deceaved. The lordis finding the Marquess most noblie to yeild to thair desires, whiche thay neuer thocht he wold do, luiking vpone his refusall to haue maid ane ground and querrell to haue takin him south, resolvit vpone ane vther

The Marquess and his sones ar invited to supper.

Efter supper, thay enter in conferrence.

The substance thairof anent his livetennandrie.

The Marquess obeyis thair desire.

He sendis Cluny with letteris and the covenant to the King.

The Marquess returnis to his lodging. Directis to Leggitsden to provyd his dynner. The nobles consideratioun, quhair thay find thair opinioun misgivis thame

courss, to draw him wnder brak, whiche with ressone thay could onnawayes bring to pass. And first the Marques haueing mynd of no evill, the Generall causis set strait watches at the foir and bak yettis of his lodging, and at the stable durris whair his horss stood, with mvskiteiris, to the end the Marques micht not ryd (as he intendit vpone the morne home to Strathbogy) quhairof the Marques had no knouledge whill vpone the morne. Resoluis vpone vther grounds. Thay watche his lodging and stables.

Aluaies, the Generall and the nobles, vpone Setterday the 13th of Aprile, in the morning, send in tuo noble men to the Marquess lodging, desireing him with his tuo sones to cum in to the Erll Marschallis houss and speik with the Generall. The Marques wondering at the watching of his lodging, and now sending for him efter he had takin his leive in freindly forme the night befoir fra thame, and told he wes to ryde home vpone the morne, as I haue said; aluaies he with his tuo sones gois in to the Erll Marschallis lodging, meites with the Generall; and efter freindlie salutatiouns, the Generall beginis to mak wp a new ground of ane querrell, and sayis to the Marquess, "My Lord, I wold desire you to contribute to pay Williame Dik 200,000 merkis, quhilk is borrowit fra him for lifting of this army to cum north." The Marques ansuerit, he wes not oblegit to pay ony pairt thairof, becaus it wes borrouit, wairit, and imployit but his advyss or consent, and that he had spendit alss mekill in this bussines, for his awin pairt, as any nobill man in the land had done, out of his awin pvrss. 2. He desyrit him to tak James Grant, Johne Dvgar, and thair complices, rebellis, bloodscheddaris, and murtherares, and gryte trubleris, sorneris, and oppressouris of the countrie people. The Marques ansuerit, he boor no publict office, nor had commissioun to that effect; quhilk albeit he had, James Grant had gottin the Kingis remissioun, and so could not tak him; and as for Johne Dvgar, he wold concur with the rest of the countrie to tak him, as he wes imployit. 3. He desyrit him to agrie with the laird of Frendracht and tak him by the hand, becaus the covenant admittit no hatred nor feid to stand on reconceillit. He ansuerit, quhat he had subscrivit to the Generall onnawayis oblegit him to tak Frendracht be the hand, nor wold he tak him by the hand vpone no conditioun. The Generall haueing vsit and proponit thir friuolus petitionis, and getting sic ressonable ressones as The generall sendis for the Marquess. He cums out, wonderis at the watche. Meitis with the generall. He beginns vpone ane new quarrell. His demandis most vniust. The Marquess mvst ressonable ansueris.

he could not weill eschew, he then brakis wp the thing he maist ernestlie wold haue bein at, (whiche wes the Marquess him self), and changeing his purpoiss sayes, "My Lord, seing we ar all now freindis, will ye go south to Edinbrugh with us?" He ansuerit, he wes not of sic mynd, nor wes he prepairit to go south at this tyme, becauss he wes going home to Strathbogie. The Generall said, "Your Lordschip will do weill to go with ws." The Marquess, seing his purpoiss, ansuerit quiklie, "My Lord, I cam heir to this toune vpone assureans that I sould cum and go at my owne plesour, but molestatioun or inquietatioun; and now I see by conditioun my lodging wes gairdit, that I could nocht cum out nor in, and now, by my expectatioun, ye wold tak my self, who is heir, and biddin heir with your Lordschip in quyet maner, mirrie and glaid, and carie me to Edinbrugh whidder I wold or not. This, in my sicht, seimis not fair nor honorabill." Aluayes, sayes he, "My Lord, give me my band quhilk I gave yow at Innervrie, and ye sall haue ane ansuer;" quhilk the Generall obeyit, and deliuerit to the Marquess. Then he said, "Whidder ye will tak me with you south as ane captive, or willinglie of my owne mynd." The Generall ansuerit, "Mak your choiss." Then said he, "I will not go as ane captive, bot as ane volunteir;" quhairvpone he cumis to dur, and haistellie gois to his owne lodging, whair he findis the samen straitlie gairdit with mvskiteiris. Aluayes, he gois in and sitis doun to brakfast, sendis post efter the laird of Cluny to stay his journey, as ye haue hard, so that he went no farder nor Edinbrugh. Sum of the Marquess freindis thocht hardlie of his going south, without sum hostage left behind for his saif returne; bot the Generall, being spokin, refuisit to grant ony hostage. Thus is this gryte and michtie Marquess, gryt and egregious Erll, lord liveten-nant of the north by his Majesteis authoretie, a man of singular spirit and courage, of gryte freindschip and fair commandiment, brocht wnder thir straites and hard conditionis by his neighbour subiectis, for being ane loyall subiect to his maister the King; whiche vtheruayes I hope thay durst not haue haserd to interpryss be thair awin strenth, and following in thir quarteris. Aluayes, he first wes forsit to tryst and give his band at Innervrie, then intysit to cum quyetlie to Abirdein, his lodging gardit, him self

The generall changes his purposs.
He vrgis the Marquess to go south.
His ansuer.

He is moir vrging.

The Marquess ansuer.

He getis his band bak.

He gois directlie south.

First he brakfastis.
Postis efter the Laird of Cluny.

No hostage culd be grantit.

The Marquess evill vsit by his nichtbour subiectis.

Sic folios 111, 112, 113, 114.
Thair order and vsage of him.

wnder trust takin, as ye haue hard. All this he wes drawin to suffer and behold most patientlie, for the love he careit to the King his maister, his kin, and freindis. Cheiflie his deir children wes grevouslie offendit therat, to sie him takin fra his freindis and had to Edinbrugh amongst his enemeis, who neuer lykit his houss nor standing. What suld moir; efter brakfast, the Marquess with his tua sones, the Lord Gordone and Lord Aboyne, makis thame reddie to go.[a]

He has patience perforce.

His freindis and children ar sorrowfull.

He makis him reddie to go.

In the meintyme, the Generall causis restoir to the prouest and balleis the keyis of thair portis, tolbuith, and kirkis, with thair ordinance, and plunderit not so muche as ane mvscat out of the toune. He gave ordour to the prouest and balleis to pay for thair intertynnement quhair thay war quarterit within the toune. Bot the honest tounes people gat litle payment for thair furneshing.

The generall restoiris the tounis keyis.

Nothing is plunderit.

Ordour to pay for thair intertynnement—nothing gottin.

All thinges endit, the Generall, with the nobles and rest, gois to horss. The Marques, with his tua sonis and sum servitouris, horssis also, trvmpettis sounding. The prouest and balleis causis bring wyne and cvmfettis to the cross, and humelie intreattit them to drink, whiche thay glaidlie did, and the Marquess with his sones also. The Marquess send his second sone, the Lord Aboyne, to Strathbogie, by permissioun and leive of the Generall at the cross, for bringing moneyis to his father, and vpone promeiss he sould cum quiklie south efter thame, sie schortlie heirefter, folio 109.

The generall and nobles gois to horss.

The Marquess with his sonis horsis also.

Wyne drunkin at the cross.

The Marquess sendis his second sone to Strathbogy.

Then the trvmpetis began to sound and the army to marche, with whome also went the hieland men of Lorne and Argile. And becauss thay did no wrong within the toune, the prouest and balleis causit deliuer to thame 500 merkis, moir for thair evill nor for thair good, and for keiping thair toun from plundering of sic mercyles miscreantis.[b] Thus, vpone the foirsaid Setterday, and 13th of Aprile, the Generall with his army marchit forduard fra Abirdein, and that nicht the Marques and his eldest sone, with the Generall and nobles, cam to Dunnotter, quhair thay stayit that nicht, Sonday all

The army with the hieland men beginis to marche.

500 merkis payit to the hiland men.

The Marquess and noblis gois to Dunnotter.

[a] As to the capture of Huntly, see 'Gordon's Scots Affairs,' vol. ii., pp. 335. et seq. Also, 'Abridgement of Britanes Distemper, from 1639 to 1649,' p. 16.

[b] The following items were paid on account of the "Argyll men:"—

Item debursit wpon the twelff of Apryll last to the laird of Larels, and his Argyll men, ...	£333	6	8
Item, four lead and ane burding of peatts to thame, . . .	0	10	2
Item, four leads of stray to thame	0	12	0

(Dean of Guild's Accounts.)

Thay keip company quhill thay cam to Edinbrugh.

day. Mononday, thay rode togidder, and keipit still company whill thay com to Edinbrugh, quhilk wes vpone Frydday the 19th of Aprile, as ye may sie, folio 112.

No communioun givin at pasbe. Doctour Scrogy fled.

Sonday, 14th Aprile, and pash day, Mr. Thomas Mitchell, persone of Turref, preichit heir in Old Abirdein, Doctour Scrogy, our owne minister, being fled, bot no comvnioun wes givin, as wes laitlie vsit.

Commissioneris send fra Abirdene to the Grein Table.

Vpone Mononday, 15th Aprile, according to the Generallis directioun, as ye haue, folio 105, Abirdein directit Johne Hay, Mr. Robert Farquhar, George Morisoun, and Mr. Thomas Gray, commissioneris for the said brughe of Abirdein to the Grein Table, to wnderly and abyde thair censur anent the paying of any sic fyne as thay sould be inioynit, for thair outstanding aganes thame and thair covenant, and byding be the King and his covenant. Aluayes thay war forsit to suffer, and wes ordanit to pay 40,000 merkis of fyne, and to set cautioun for payment, or remane in Edinbrugh whill it sould be payit, whairvpone thay remanit in Edinbrughe whill ordour suld be takin thairwith, sie folio 123.

To heir and sie thair fyne, quhilk is 40,000 markis.

To set caution, or remane in Edinbrugh quhill payment.

Ane provinciall assemblie holdin in New Abirdein.

Vpone Tuysday, 16th Aprile, ane provinciall assemblie holdin in New Abirdein, bot not in the College Kirk of Old Abirdein as thay sat befoir, becaus it wes ane bischopis seat. Mr. Dauid Lyndsay, persone of Balhelvie, wes moderatour. The roumes of the absent ministeris of Abirdein who wes fled, sic as Doctour Sibbald, Doctour Goold, and Doctour Barroun, professour, wes ordanit to be suppleit, and the toune to be servit be vther ministeris within the presbitrie whill the nixt subsynod, to be haldin the 16th of Maij, that these placeis micht be fillit. Thay dissoluit the 17th of Aprile, sie folio .

Mr. Dauid Lyndsay moderatour.

The ministeris of Abirdein, thair places to be suppleit.

Syne dissolues.

The Lord Oboyn is stayit on gone south to his father be Banf, Gicht Haddoche, Foverane.

Vpone the foirsaid 16th of Aprile, the Lord Oboyne being going south to his father with moneyis, as ye hard, and sitting at brakfast in Percok, thair cam to him the laird of Banf, (who neuer wold yeild), the laird of Geicht, the laird of Haddoche, the laird of Foverane, and diuerss vtheris of his kin and freindis, who had subscrivit the covenant abefoir, as ye haue, folio 102, and declairit plainlie he sould not go south, bot byde in this countrie, now left heidles, and it wes over sore ane pledge to haue both his father and brother south at the Grein Table alreddy. The Lord Oboyne (as the

draucht wes drawin) yeildit to thair desire, and turnit bak to Strathbogie agane with his fatheris trvnkis, with resolutioun to go togidder for defenss of thame selffis and thair frendis at all occasionis. Bot this plot did no good, bot bred mekill sorrow, as ye sall heir.

He returnis to Strathbogy. Thay resolue to byd togidder.

Vpone the 18th of Aprile, Doctor Forbes of Corss, heiring of the contynewatioun of the committe, returnit bak to his owin hous in Old Abirdein, and preichit vpone Sonday thairefter in the same toune peciablie, who had fled the toune and bein absent since the 28th of Marche, sie befoir, folio 95.[a]

Doctour Forbes returnis, and preichis.

Word cam that thair wes ane committe to be haldin at Turref vpone Wednisday 24th Aprile, be the Erll Marshall, the Erll of Seafort, the Lord Fraser, the maister of Forbes, and sum vtheris, with thair kin and freindis; to the quhilk meiting wes warnit to cum all sic persones within this diocie as had not subscrivit thair covenant, and thair subscrive the samen, wnder the pane of plundering. The like pane wes never givin out befoir by any King of this kingdome, bot now begvn be subiectis vpone subiectis, but auchtoritie.

Ane committe to be haldin at Turref.

Sic as had not subscrivit the covenant was warnit to compeir wnder plundering.

The Lord Aboyne and Banff, with the rest of his kin and freindis who had not subscrivit, heiring of this charge wnder the pane of plundering of thair houssis, rentis, goodis, and geir, to cum in and subscrive this covenant, thay thocht havie of this charge, and resolvit to gather togidder for thair awin defenss. So these who had subscrivit aganes thair willis, alsweill as those who had not subscrivit, flokkit and drew wp to ane heid, as ye sall heir.

Aboyne and Banf thinkis havie of this charge.

Thay draw to ane heid.

Quein Mother lyis still in England, vpone the Kingis gryte charges, who cam thair in November, 1638.

Quein mother lyis still in England.

No letteris cums fra the King to his loyall subiectis, bot ar intercepted be his rebell subiectis, the covenanteris, and such as ar send to his Majestie is richt so vsit; so the King and his subiectis leaves af from more wreitting of missives, and the countrie, who dependit vpone his Majestie, is now left helples and comfortles.

No letteris going to the King or cuming from him, bot ar intercepted.

Mononday, 22nd Aprile, thair wes ane meiting holdin at Monymvsk be the Erll Marschall, the Erll of Seafort, the Lord Fraser, the maister of Forbes, with sindrie vther barronis and burgessis of

Ane meiting at Monymvsk.

[a] See Note, p. 151.

Abirdein of the covenant, who, heiring the Lord Aboyns rysing, resolvit to contynew this committe at Turref fra the 24th of Aprile to the 26th of the samen moneth, vpone hope that thair sould cum be that tyme sindrie gentlemen out of Caithness, Sutherland, Ross, Morray, and vther pairtis. And in the meintyme, thay thame selffis to meit agane togidder at Kintor vpone the said 24th of Aprile, and so dissoluit.

The committe at Turref is continewit.

Thame selfis to meit agane, and so dissoluit.

Vpone the 24th of Aprile, the Erll Marschall, the Erll of Seafort, the Lord Fraser, the maister of Forbes, with sindrie barronis and Abirdeins burgessis, met togidder at Kintor, whair it wes concludit that this committe to be holdin at Turref sould dissolue, and be not holdin the 26th of Aprile. To this meiting at Kintor, thair cam out of Abirdein about 30 muskiteires with thair commanderis, at thir nobles command, bot thay turnit bak but more ado, feiring the Lord Aboyns pouer and freindschip to gane stand thair committe. Aluaies, it wes ordred that thay sould meit agane in Abirdein vpone the morne; so this nicht the Erll Marschall had with him to Halforrest the Erll of Siefort, to byde with him all nicht.

Ane meiting at Kintor.

No committe to be haldin at Turref.

Sum mvskiteris cam out of Abirdein.

Vpone the 25th of Aprile, the foirsaid Erllis, with the Lord Fraser, maister of Forbes, barronis, freindis, and follouers met agane at Abirdein, to whome cam also diuers vtheris barronis and gentlemen out of Buchane, Mar, and vther countreis about, amounting to 1000 men, quhairof thair wes bot about 80 horss men; and the number of the haill wes about 3000 men. The Erll Marschall takis in the toune of Abirdein at his owne hand, mellit with the keyis of the tolbuith, kirkis and portis, quarterit the men, who wes weill intertynneit bot not weill payit, gairdit the portis, that none cam in nor out by his knouledge, now calling him self governour of Abirdein, his tyme about; whairat the tounes people becam vexit and wiryit, yea, and sum throw feir fled and left thair lodginges desolat, vtheris schiftit thair best goodis asyde, with wirie and sorie hairtis, bot patiens perforce.

Ane meiting at Abirdein.

Marschall takis in the toun, mellis with the keyis, quarterit the men, for no payment.

Gairdit the portis—he is now governour.

The tounis people is wiry of thir troubles, sum fled, vtheris baid.

Now, I heir leave thame byding and oppressing Abirdein, and returnis to the committe apointit to be holdin at Turref the 26th of Aprile, quhair thair convenit the Erll of Seafortis freindis, (him self being in Abirdein) the Erll of Fyndlateris freindis, the minor Erll of Errollis freindis, wnder the conduct of the laird Delgatie, the

Ane meiting at Turref.

minor Lord of Petsligois freindis, wnder conduct of Alex^{r} Forbes of Boyndlie his tutour. The lairdis of Inness and Grant cam out of Morray, and thir people in all wes estimat to be about 1600 men; bot becaus governour Marschall, the Erll of Seafort, the Lord Fraser, and maister of Forbes wes in Abirdein, and cam not to Turreff, this committe dissoluit, and ilk man home, quhairat sindrie mervallit, being the first committe that euer so dissoluit but more ado, sie folio 112.

Thair number.

This committe or conventioun dissoluit, and ressone why.

Now the Erllis and Lordis foirsaidis, being in Abirdein at this tyme, as ye haue hard, thay thair apointit ane committe over agane, to be haldin at Turref vpone the 20th day of Maij nixt, and contynewit all materis to that day. Governour Marschall causit tak out of the laird of Petfoddellis seller tua bahounis full of pulder, pertening to the Marques of Huntlie. He deliuerit bak the tounes keyis to the prouest and balleis. Sum gat payment, vtheris wantit for thair intertynnement, Thuirsday at nicht, Frydday all day, and Setterday quhill efternone, that thay gat thair leive; chargeing thame be proclamatioun to be in reddiness vpone 24 houris warning. The Erll of Siefort that same nicht took his leive also, and went home. The governour removes to Dunnotter, bot sindrie honest menis houssis within Abirdein wes robbit and spoyllit, yea, and the people grevouslie oppressit by louns and lymmaris that cam heir at this tyme.

Ane new committe apointit to be at Turref.

Pulder takin out of Petfoddellis houss, perteining to the Marquess.

The touns keyis ar restoirit.

Sum gat payment, vtheris wantit.

Thay dissolue.

The governour gois to Dunnotter.

Abirdene is evill vsit.

Thus the toune of Abirdein wes blyth to be quyte of them, who had fled the committe at Turref onlie for feir of the Lord Aboyne, as wes constantlie spokin.

Thay ar blyth to be quyt of this Mengzie who fled thair committe for feir of Aboyne.

Vpone Sonday, the 28th of Aprile, Doctour Scrogie teichit in Old Abirdein, who had leivit in the countrie obscurelie fra Marche, and now returnis to his owne charge, and Mr. Gilbert Ross to be reidar, sie moir heirefter, folio .

Doctour Scrogie, and Mr. Gilbert Ross returnis home.

Vpone Frydday, 26th Aprile, the laird of Cluny, vpone saif conduct fra the Grein Table, cam bak to Abirdein, being stayit of his journey, as ye haue hard befoir, folio . Governour Marschall yit being in the toun with his army, sendis for him, who vpone writtin assureans went and had conferenss; syne returnis to the Oldtoun, and declairit the Marquess, with his eldest sone, war both wardit in the castell of Edinbrugh, and that he had writtin for his thrie vir-

The Laird of Cluny cumis bak to Abirdein.

He gois to Marschall, and showis how the Marquess and his son was wairdit, and that he had writtin for his dochteris.

gyne dochteris, Ladie Ann, Ladie Henrietta, and Ladie Jeane, to cum to Edinbrugh. He stayit schort quhyll heir, bot rode with letteris fra the Marquess to the Lord Aboyne his son.

He gois to the Lord Aboyne.

Aboyne growis to ane heid.

The Lord of Aboyne and his freindis, heiring of thir meitinges at Monymvsk, Kintor, and at Abirdene, and luiking assuredlie that thay sould hald thair committe at Turref, and thairefter plunder the laird of Banf and the rest, who had not nor wold not subscrive this covenant, and to wrak and distroy thair houssis, goodis, and geir; thairfoir be advyss he growis to ane heid, and convenis of hieland men and lowland men about 2000 horss and fut, and resoluit to keip this meiting, or vtheruaies to defend thame selffis from plundering. Liuetennand crouner Johnstoun wes in his company, a gallant gentilman, who went out of Abirdein with the Marques to Strathbogie, quhair he remanit during thir troublesome dayis, and whose worthie advyss the said Lord of Aboyne cheiflie followit. Bot heiring this committe wes adjornit to the 20th of Maij, thay beheld, bot keipit still the feildis. It wes said, whill as the Erll Marschall and Erll of Seafort war in Halforrest, efter thair meiting at Kintor, the Lord Aboyne wes then in the feildis, and Mr. Robert Gordone of Straloche, and Doctour Gordoun in Old Abirdein, went to Marschall, trauelling for peace and to eschew blood, bot thay gat ane bleat ansuer, and so tynt thair travell, sie folio 118, anent the keiping of this committe at Turref.

His number and resolutioun.

Liuetennant Crovner Johnstoun.

This committe agane adjornit.

Mr. Robert Gordoun, and Doctour Gordoun thair trauelling to litle purpoiss.

Ye hard befoir, folio 108, how the noble Marques of Huntlie wes trecherouslie had to Edinbrugh. He lodgis at his lichting in his ordinar lodging, weill watchit I warrand you. Vpone the morne, being Setterday, and 20th of Aprile, he with his sone is convoyit wp the get, and ignominiouslie wairdit within the castell of Edinbrugh, but ony offence, iniurie, or oppressioun, bot onlie becaus he lovit his maister the King, and wold not follow the covenanteris courss and subscrive thair covenant, quhilk he wold neuer grant to do willinglie; and thairfoir his nightbour subiectis, but law or auchtoritie of ane King, at thair owne handis, wold perforss bring him to thair opinioun. And first thay raisit ane army and cam to Innervrie, quhilk he could not resist, nor whome fra he could onnawayis flie, be sea or land, wes forsit to tryst and give his band, no doubt to thair contentment; thairefter, wnder trust, takin aganist

The Marquess lightis at his owne lodging, at his cuming to Edinbrugh.

He and his sone ar both wardit.

The maner how he is vsit.

his will south to Edinbrugh; and last of all wairdit, as ye haue hard. Thus wes this grite and michtie Marquess, wyss, valorous, and stout, livetennand of the north, broght wnder his fellow subiectis obediens, his castell of Innerniss takin be thame, and maisterfullie with haldin fra him, as ye haue befoir, folio 84. The lyk iniureis that noble houss neuer sufferit in ony preceiding aige. Aluaies, he resolues if he could, he wold indure more befoir he proveit disloyall to his gratious King, and so beheld patientlie. The Grein Table appointit fyve gardianis to attend vpone him and his sone nicht and day, vpone his awin expenssis, that none sould cum in nor out bot be thair sicht, sie folio 114.

His resolutioun.

He is gairdit and over hard vpon his own expenssis.

The covenanteris and Grein Table no doubt randerit muche praiss and honor to Generall Montroiss and his complices, for thair panes in bringing Aberdene wnder subiection, and the gryte Marquess of Huntlie to Edinbrugh, quhairby thay lipnit for no moir disobediens in the north; quhairin thay war muche deceavit, and quhairof thay had causs to repent, inrespect of the troubles whiche followit, and perchans he micht haue stayit, if he had bein sufferit to byd at home, and not to haue bein so vsit; nowayes tending to his disgrace, bot to the schame and endles indignetie of the devyseris and doeris thairof, sie 114.

Generall Montroiss highly exaltit.

The taking of the Marquess did no good.

It is said the King (not knowing of his wairding) send him letteris, quhilkis war intercepted and brokin wp by the covenanteris, sie befoir, folio 92, and heirefter, 698.

The Kingis letteris ar intercepted.

Ye hard befoir, folio 87, of ane proclamatioun set out by his Majestie, at all the paroche churchis of Ingland, aganist his disobedient subiectis of Scotland. The covenanteris wreitis out ane ansuer thairto, callit *The Remonstrance of the nobilitie, barronis, burgessis, ministeris, and commouns within the kingdome of Scotland.* Imprintit at Edinbrugh be James Brysoun, 22nd Marche, 1639. Be the quhilk thay set doun ane ansuer to ilk particular ressone contenit in the Kingis proclamatioun, and that thay had done no wrong in thair haill procedur; and that any proclamatioun maid in England, or send doun heir to be proclameit in Scotland, declairing thame, and the most pairt of the bodie of the kingdome, to be traittouris and rebellis, wes in itself null and vnlauchfull, as done be the King vpone informatioun of wicked and seditious persones,

Ane remonstrance set out aganist the Kingis proclamatioun.

Thay ansuer ilk poynt.

seiking thair awin endis, without advyss of counsall or parliament, who had speciall entress in declairing of materis of treasoun, and thairfoir had good ressone to stay the publicatioun of sic illegall and vnlauchfull proclamatiouns; bot I refer my self to this proclamatioun and remonstrance, whiche wes printit and maid patent.

The Kingis opinioun.

Aluaies, the King alledgit he had princelie pouer and auchtoretie to set out the like proclamationis aganes his rebellious subiectis, without consent of counsall or parliament, being a borne monarch, and not ane electiue King, subiect to none bot to the Almightie God; and alas that he micht, but thair advyss, denunce oppin wair and hostilitie aganes his rebell subiectis, for thair disobedience and rebellioun. Neuertheles the Kingis proclamatioun is proudlie stoppit, and stayit from being proclameit, as his Majestie desyrit, lest thairby the hairtis of the people micht be drawin fra thair suorne covenant, as ye may sie befoir, folio 86. The Kingis mynd wes never to abolishe bischopis, bot treulie to mantane thame in thair roumes, rentis, and digneteis; and declairit the samen be publict proclamatiouns at the cross of Edinbrugh about this said tyme. Bot the covenanteris compeirit and maid protestatiouns aganis this proclamatioun, as contrair to thair assemblie laitlie holdin at Glasgow, quhairby bischopis wes absolutlie aboleissit, and the kirk to be governit by sessionis, presbitreis, provinciall and generall assembleis.

His proclamatioun stopit.

The Kingis mynd anent episcopacy.

No fisher boat to speik with schipis.

About the 28th of Aprile, drum toukit throw Abirdein that no fisher boat suld speik with any stranger schipis that suld cum to the road, whiche wes done be aduertesiment from the Grein Table; bot no schipis cam at this tyme.

Lady Ann, Lady Henrieta, and Lady Jeane Gordouns, cam to Abirdein.

Monondaỵ, 29th Aprile, Ladie Ann Gordoun, Ladie Henrieta, and Ladie Jeane, hir tua sisteris, cam fra Strathbogie to Abirdein, and from that (at the Marquess thair fatheris command, who had send for thame) went to Edinbrugh, and sovpit the first nicht with thame in the castell. Bot on the morne, the Grein Table causit transport thame fra the castell to thair lodging, and wold not suffer thame to byde besyde thair father, to his forder displesure, and by his expectatioun when he send north for thame; and he wes overwatchit, so that none of his barnes, nor freind, nor servand culd cum or go bot be advyss of this Grein Table, and still in the meintyme wes delt with be the covenanteris to subscrive the covenant,

Rydis to Edinbrugh, soupis with thair father that nicht, bot wes not sufferit to stay with him longer.

He is straitlie keipit.

He is vrgit still to subscrive the covenant.

whiche he wold neuer grant to do bot at the Kingis command, as by a paper set out by him self, callit *The Marquess of Huntleis Reply to certane nobilmen, gentlemen, ministeris, covenanteris of Scotland, sent from there associatis to signefie to him that it behoved him ather to assist there designis or be caried to prissoun in the castell of Edinbrugh, the 20th of Aprile*, 1639, *now publishit, becauss of a falss coppie thairof laitlie printed, without auchtoretie or his owne consent.* London, printed by Robert Young, his Majesteis printer for Scotland, 1640.

And still denyis.

His reply.

The Marquess of Huntlyis Reply to certane nobillmen, &c.

To be your prisoner is by muche the less displeasing to me, that my accusatioun is for nothing elss bot loyaltie; and that I haue bein brocht into this estait by suche vnfair meinis, as can never be maid to ane peer honorabill in these who vsed them.

The Marquess of Huntlie his reply to certane noblemen.

Where as you offer libertie vpone conditioun of my entering into your covenant; I am not so bad a merchand as to by it with the loss of my conssience, fidelitie, and honor, whiche, in so doing, I suld mak a compt to be whollie perished.

I haue alreddie givin my faith to my prince, vpone whose heid this croun, by all aw of nature and nationis, is justlie fallin; and will not falsifie that faith by joyning with any in a pretence of religioun, whiche my owne judgement cannot excuse from rebellioun; for it is well knowne, that, in the primitive churche, no armes war holdin lauchfull, being lifted be subiectis aganes thair lauchfull prince, though the whole frame of Christianetie wes then in questioun.

Whereas yow wold incurage me to be a partaker with you, by your hopes of supplie from France, and vther foraigne natioons, togidder with your so good intelligens in England, as no danger will cum from thens; let me tell yow, that, in my opinioun, thir ressones ar bot vane, the Frenshe being now more strictlie tyed then befoir to vphold the auchtoretie of our sacrad soueraigne, by a new cimented league of marriage, whairby thair inteirest in his Majesteis progeny will over-ballanss you, though your causs war better. Vther foraigneris ar meirlie vnhabill by there owne distractionis, and the English haue euer bene strong aneuche for ws, when onlie there owne King and not ouris too did leid them. For my owne pairt, I am in your power, and resolveth not to leave that foull titlle of traittour, as ane inheritance vpone my posterity; yow may tak my heid from my schulderis, bot not my hairt from my soveraigne.

A noble resolutioun.

Finis.

Sie, folio 127, moir of the Marques.

This reply is daitit the 20th of Aprile, vpone quhilk day he wes wairdit in the castell of Edinbrugh, as ye haue hard. No doubt he wes haistit thairto vpone the sight of this his noble reply, whair-

The dait of this reply quhilk day he was wardit.

His loyaltie to the King.

The covenanteris cours not weill groundit.

by his loyaltie to his maister the King may be cleirlie sein, his taking dishonorable, the covenanteris courss not weill groundit, and thair hopes of help waik and vncertane. Aluaies, I leave this noble Marques still in waird, whill folio . Yit it seimis he saw

He saw not the combinatioun betuixt ws and England.

not the strait combinatioun betuixt ws and England, as heirefter may appeir. Sie, folio 127, how he is traducit.

Mr Johne Gordoun deprivit, and fled to Ingland.

In this moneth of Aprile, Doctor Johne Gordoun, minister at Elgin, fled his charge. He wes first deprivit for not subscriving the covenant, syne went to England, whair he gat ane kirk, and leivit quyetlie as ane preichar thair the tyme of thir troubles.

Ye hard, folio 102, how the bischopis fled into England; bot none durst com bak agane to thair places, and the King is greivit and vexit daylie with thair complaintis and mantenans.

The King is vext with the bischopis complaintis

Margaret Bellenden goes to hir father to Berwik, and deceisis.

Margaret Bellenden, the bischop of Abirdeins dochter, followis hir father to Berwick, whair scho leivit not long, bot depairtit this lyf in Januar, 1640. muche to be lamentit; bot hir father went not yit, sie folio .

Donald Farquharsone plunderis the Erll Marschallis ground.

About this tyme, Donald Farquharsone, and some hieland men of Bray of Mar, cam doun to the Mernis, and plounderit the Erll Marschallis boundis of Strathauchin; quhairat the Erll wes heichlie offendit.

Vpone Tuysday, the 2nd of Maij, thair cam to the river of Forthe ane navy of schippis, quhairof thair war 4 schippis royall, and 26 vther schippis, weill furneshit with men, meit, and munvtioun, capitanes, commanderis, and brave cavilleires, quhairof the Lord Marques of Hammiltoun wes Admirall. Thair wes 3000 soldiouris apointit to be landit in the north for defenss of the Kingis loyall subiectis, with four monethis provisioun, and all materiallis necessar to that effect. And his Majestie gave his letteris patent to the said Marques of Hammiltoun for that seruice, trusting to his loyaltie this expeditioun, so muche tending to the Kingis honour; whairin his Majestie wes cleirlie deceavit, as ye sall heir, tynt his trauellis, expenssis, and moneyis, amounting to 13000 li. stirling, quhilk he cansit deliuer to the said Admirall, for furneshing all thingis necessar to this army. Howsone thir schipis ar sein cum wp Forthe, then bonfyris wes set wp in Fyf and Lavthean, and ilk countrie, to adverteiss vther for conveining haistellie togidder in armes. Edin-

Ane navy of schippis cums to Forth, the Marquess of Hammiltoun Admirall.

3000 soldiouris apointit to land in the North

None cum.

The King is deceaved. His gryit expenssis.

Bonfyres set wp. Edinburgh gois to armes

brughe gois haistellie to wark, bot mony within that toun, Dundie, and Montroiss wes sore astonishit and feirit, that knew not the secret off thinges. Sum fled, sum set thair goodis asyde, without just causs, for the Marques of Hammiltoun wes Admirall, and we wes assurit of his favour and freindschip, and that he wold do no skaith to ane covenanter. Bot for the fashions saik, we maid mustering of men in Fyf and Lavthean, and throw the countrie.

Gryt and preposterous feir.

The Admirall no enemy

Mustering for the fashiouns saik.

At this samen tyme, these who had fled out of Abirdein and out of the countrie, as ye haue befoir, folio , heiring of the cuming of this sea army for thair releif, haistellie imbarkit in ane Kirkcaldy schip, about the number of 48 persones, and cums forduard; bot thair schip being espyit by the Admirall, he causis tak hir and tak out hir ordinans and hir marineris, and place thame on one of his navy, syne directit marineris of his owne to convoy our Abredonianis in thair Kirkcaldie bark.

Oure Abirdenis men and vtheris follouis this navy.

The ordour that the Admirall took with them.

The Lord of Oboyne, vpone his owne ressones, causis brak wp his army, and ilk man to go home to his owne houss; and suddantlie, vpone Frydday the thrid of Maij, schippis in the Engzie at Crvckit-hevin with sum few persones, and to his Majestie gois he. This his depairtour wes joyfull to his enemeis and sorrowfull to his freindis, who had kythit with him, especiallie to the lairdis of Geicht, Haddoche, Foverane, Wdny, Newtoun, Petmedden, Tibbertie, Harthill, and vtheris who had followit him efter thay had subscrivit the countrie covenant.

The Lord Oboyn brakis wp his army, schippis in the Engzie, and gois to the King.

His freindis left in gryt trubbill.

The laird of Banf, and sum vther barronis and gentilmen, seing the Lord Aboyn's suddant depairtour, began now to luik to thame selffis, and had ane meiting at Auchterles the 7th of Maij.

Banf and the rest gois togidder, and had ane meiting.

The names of Forbes and Fraser and vtheris had lykuaies ane meiting at Innervrie vpone the 8th of Maij.

Forbessis hed ane meiting

And lykuaies ane gryt meiting holdin at Edinbrugh amonges the covenanteris the samen day.

Ane meiting at Edinbrugh.

Vpone this samen aucht of Maij, the barronis, sic as Banf, Geicht, Cromartie, Haddoche, Foverane, Crommy, and sum vtheris, with liuetennand crouner Johnstoun, about 80 horss and 60 foot, cam to the kirkyeard of Ellon, and send to the laird of Kermvk, being in his owne hous of Arduthie, desyring him to refuse the countrie covenant, and to subscrive the Kingis covenant. Thair hapnit to be

The barrons cumis to Kermvk, desires him to refuse the covenant.

His ansuer.

No more trubbill.

with Kermvk the lairdis of Wattertoun and Auchmacoy, with about 18 persones. He returnes ansuer he could not periure him self and to leave his covenant. Aluaies thay did no more wrong to him, bot sum went in and drank freindlie in his hous. Thay vrgit vtheris likuaies to quyte thair covenant, bot cam no speid.

Ane bikkering about Tollie betuixt the barronis, and the Lord Fraser and maister of Forbes.

Thair wes togidder the laird of Banf, the laird of Geicht, the young laird of Cromartie, with sum vtheris, who, with liuetennant crouner Johnstoun, vpone the 10th of Maij, intendit to cum to the place of Tolly Barclay, and thair to tak out sic armes, mvscatis, gvnis, and carrabinis as the lairdis of Delgatie and Tollie-Barclay had plunderit from the said young laird of Cromartie, out of the place of Baquholly, bot it hapnit the Lord Fraser and maister of Forbes to sie thair cuming. Thay manit the houss of Towy, cloissit the yettis, and schot diuerss schotis fra the houss heid, whair ane seruand of the laird off Geichtis wes schot, callit Dauid Prat. The barronis, seing thay culd not mend thame selffis, left the houss, thinking it no vassalage to stay whill thay war slayne; syne, but more ado, rode thair way. Bot heir it is to be markit, that this wes the first blood that wes drawin heir sen the begining of this covenant.[a]

Ane man is slayne.

The barronis rydis away.

The first blood is heir drawin.

[a] The covenanting barons give the following account of this affair, in a letter to the magistrates of Aberdeen, writtin on the day after it occurred :—

Richt worthie and lowing friendis,

As wee doubt not yow haw receawed our letter send from Kintor with Mr. Androw Abercrombie, and ar accordinglie on your gard, so wee haw thocht fitt to acquaint yow with Bamf and his associatis ther insolent proceidings, who yesterday hawing plundert diuerss off the laird Towis tennantis, thocht to haw interceptit us in our comming from Turreff to Towie, bot fealing off ther intention hawing plundert tuo or thrie stragling footboyis in a most presumptouis maner, persewt som off them to the moss besyd the place off Towie, and cam with ther whol bodie to the barnyardis; and I think som of them repentis thay cam so neir, for four off them at least ar hurt. We heir ther intention is to go to Strathbogie, and mak themselues stronger, and then to fall on such as thay may ouercum; bot we resolue, Godwilling, uerie shortlie to haw our confederatis conuenid, and follow them, go wher thay will; and iff yow fear danger in the mean tym, wee hoip yow will aduerteiss the Earl Marshall, and in the mean tym send us such a supplie as yow may spair, and wee shall, Godwilling, compenss that by keiping them from cumming to yow, and send such numberis to yow, as yow can goodlie desir to preserue yow from greater inconuenients. So intreating yow to send your men to Kintor to meit the Earl Marshal men and ours, on Monday at nicht, wee rest, as we desir to remain,

Youris uerie assured good friendis,

Frendrath. Fraser A. Forbes
J. Forbess A. Forbes

Towie, the 11th off May, 1639.

In answer to the demand for a supply of men, contained in the above letter, the

Word cam to Abirdein that the King wes cuming to Bervick with ane land army. And befoir his incuming, he had send in ane proclamatioun to be proclamit at all the marcat crossis of Scotland, beiring in effect his Majesteis gryte patiens and gratious procedur, from tyme to tyme, since the begining of thir vproaris, as his proclamationis maid often tymes abefoir, beiring his loving intentionis, cleirlie dois declair. And now, as abefoir, nowayes willing to truble his auncient kingdome of Scotland, if so be the covenanteris wold brak thair lawless covenant, and dissolue the samen, rander and restoir his owne castellis, set to libertie sic as thay had, but warrand, wairdit and incarcerat, and restoir sic ministeris and pastouris to thair churches, places, and callinges, whome violentlie thay had thrust fra, and diuerss vtheris articles; and that the saidis covenanteris wold acknouledge thair disordour, ask mercie for the same, and promeiss loyall obediens in all tyme cuming. Vpone thir conditionis, his Majestie most frielie and gratiouslie not onlie wold pardon and forgive all bygane faultis, frie thame of all feires anent inbringing of alterationis, novationis or changes, in churche and pollicie, and that he suld indict ane parliament, anent the lauchfulnes or vnlauchfulnes of thair last generall assemblie holden at Glasgow, and stryve in everie thing to give his good subiectis plesour and contentment: Vtheruayes, if the covenanteris wold refuse these his Majesteis gratious offeris, that then he did protest befoir the King of Kingis, if he wes compellit to draw his suord for thair rebellious behaveour, that the innocent blood sould not be craveit at his handis, bot at thair handis who wes the procureris and wirkeris thairof. And thair with all be this proclamatioun denuncit oppin warris and hostilitie aganis those rebelliouss covenanteris; with promeiss of mercy and forgiveness to all suche as, by con-

The King is cuming to Bervick.

He sendis ane proclamatioun.

The contentis.

His Majesteis gratious offeris.

His Majestieis protestationis.

He denunces warrs.

Mercy to them who hes bein forsit to subscrive.

inhabitants 'declared, be reson of the danger of invasioun whairwnto oure toune is presentlie lyable, now in this trubilsome tyme, both be forane and intestine enemies, oure towne being continewall watched, and a quarter of the toune being ilk night on watche, so that ilk fourth night everie man most neidis watche; as lyikwayes in respect a great many of oure nightboures and inhabitants ar gone out of the countrie, and sindrie and dyveris of thame ar daylie going furth thairof, and leawing the toune: Thay thairfore, all in ane voice, answered that thay culd not possiblie, for the presant, send any supplie of men, since thay stand in neid of help of men to guard and defend thair toune.' (Council Reg., vol. lii., p. 461.)

The barronis marche.

whill the foirsaid tuentie day of May, to hold thair committe. Bot the barronis quiklie followit, and that self samen Mononday at nicht, about ten houris at evin, thay began to marche in veray quyet and sober maner, and be the peip of day cam (by ane vnexpected way, quhairof the covenanteris watches could haue no knouledge) to the

Cums quiklie to Turref. Thair trvmpetis sound, and drumis tovk.

toun of Turref; the trvmpettis schortlie began to sound, and the drumis to tovk. The covenanteris, quhairof sum war sleiping in thair bedis, vther sum drinking and smoaking tabacca, vtheris sum

The covenanteris startis, gois to array.

walking and moving wp and doun, heiring this feirfull noyss of drumis and trvmpettis, ran to thair armes and confusedlie to array, and recollectis thame selffis. And be now both the covenanteris

And both ar in vther sichtis.

and antecovenanteris ar standing in vther sightis in ordour of bat-

Tua schotis fra the Erll of Errollis houss.

tell. Thair wes tua schottis schot out of the Erll of Errollis hous

Thay ar ansuerit.

aganist the barrones, quhilk thay quiklie ansuerit with tua feild

Hot service.

peices. Then the covenanteris began on hot service, and the barrones both, and schot many mvscat schot. Then the barronis schot ane feild peice in amonges thame, quhilk did no skaith, bot fleyit the commouns. Both pairteis playit on vther. At last ane

The covenanteris fleis.

vther feild peice wes agane schot, the feir quhairof maid thame all

The chace.

cleirlie to tak the flight. Followit the chace. The Lord Fraser

Fouli faldingis.

wes said to haue foull favldinges; he wan away. The lairdis of

Sum prissoneris.

Echt and Skeyne and sum vtheris war takin prissoneris. Thair

Sum hurt, sum slayne.

wes sum hurt, sum slayne. The barronis soundis the retreat, cumis

The barronis soundis retret.

immediatlie bak to Turref, takis meit and drink at thair plesour,

Gois to Turref, takis meit.

and fleyit Mr. Thomas Mitchell, minister at Turref, veray euill.

Mr. Thomas Mitchell fleyit.

And so this committe wes efter this maner dischargeit at this tyme.[a]

Thay cum to Abirdein.

Lyk as, vpone Wednisday, the 15th of May, the barronis, with Banf and liutennant Johnstoun, rydis fra Turreff to New Abirdein,

Kermvks horss plunderit and restoirit.

about 800 horss. Thay plunder the laird of Kermvk, and his brotheris horss out of ane stable in Abirdein, becaus thay had subscrivit the covenant, bot thay gat thair horss agane.

The covenanteris of Abirdein hydis thair goodis, and fleis.

The covenanteris, heiring of this trot of Turref, and that thay war cum in to Abirdene, began to hyde thair goodis, and to flee out

The trot of Turref is the first overthrow.

of the toune for saiftie of thair lives, mervalling at the overthrow of this meiting at Turref, quhilk wes the first that fell out since the

[a] See Gordon's Scots Affairs, vol. ii., pp. 257. et seq.

Ye hard, folio 64, of ane parliament to be holdin at Edinbrugh, the 15th of Maij, 1639, quhilk, by ressone of thir troubles, wes not holdin according to the indictioun. No parliament according to the indictioun.

Ye hard, folio 112, how the committe to be holdin at Turref wes adjornit to the 20th of Maij. Now thair began to gather, to keip this committe, the Erll Marschallis men tennentis and seruandis of Buchane, him self being absent, the infant Erll of Errollis men tennentis and seruandis, the minor Lord of Petsligo his men tennentis and seruandis, with thair capitanes and leidaris, the Lord Fraser, the maister of Forbes, the lairdis of Delgatie, Tollie-Barclay, Ludquharne, Cragiwar, Echt, Skein, Tolquhone, Wattertoun, being present, and diuerss vtheris thair kin, freindis, men tennentis and servandis; and wes estimat about 1200 horss and foot. And vpone Mononday the 13th of Maij, thay cam forduard to Turref, thinking thair to abyde whill the tuentie day of Maij, that moir forces micht gather to hold thair committe; and thairefter to go in feir of warr vpone the laird of Banf, and sic vtheris as had assistit the Lord Aboyne, to plunder thair goodis, and tak thair persones, and to abuse thame at thair plesour. Bot howsone the barronis who had assistit the Lord Aboyne heires of this meiting, resoluit schortlie to avait vpone the samen; and convenis the lairdis of Banf, Abirzeldie, Haddoche, young Cromartie, Crag Auchindoir, Foverane, Crommy, Geicht, Newton, Harthill, Vdny,

Gathering to hold ane committe at Turref.

Thair names and number.

Thay cam to Turref.

Thair resolutioun.

The barronis resolves to sie thame.

Livetennand crovner Johnstoun, with diuerss vtheris brave gentilmen, about the number of 800 horss and foot, with sum good commanderis, sic as Arthour Forbes of Blaktoun, and quiklie brocht out of Strathbogie four feild brassin peces; and wnderstanding the covenanteris forcess to incress daylie, thairfoir thay stoutlie resolve to tak them in tyme, and to go on with all diligens, for thair committe wes to be haldin at Turref the 20th of Maij, as ye may sie befoir, folio . And the covenanteris cam in to Turreff vpone the Mononday befoir, the 13th of Maij, thinking thair to abyde

Thair number.

Four feild peices.

sex of thame belongs to the King's Majestie, whairin his Maiestie hes the tounes bond for redelywerie thairof, when thay shalbe requyred . . . and as for the other sex belonging to the toune, thay stand in als great neid thairof thameselffis, and ar lyabill to the samen danger that the toune of Montrois ar; and so cannot, without thair awin great prejudice, len any of thair cannon at this tyme.' (Council Reg., vol. lii., p. 461.)

the houss left desolat, and the yettis cloissit, he takis instrumentis that he could get no entress, and went to the toun, whome Mr. Robert Ogiluy the subprincipall (hapning to be at home) followit, and desirit him to cum bak agane, and he suld haue patent yetis; bot he simpliciter refuisit to go bak, quhairvpone the subprincipall lykuaies took instrument, and so pairtit, but ony forder committe holdin this day, quhill ye may sie heirefter, folio .

Sum contest betuixt him and the subprincipall.

Instrumentis ar takin.

The barronis stayis in Abirdein.

The barronis, as ye haue on the vther syd, being cum in to Abirdein vpone Wednisday the 15th of Maij, thay stayit thair all nicht, Thuirsday, Frydday, Setterday, Sonday. Sic of the barronis and gentrie who cam not in at the first to Abirdein, now daylie cumis in; sic as the lairdis of Geicht, Haddoche, Foveran, Newtoun, Harthill, Wdny, Crag Auchindoir, Abirzeldie. The gentlemen of the Engzie and Strathbogie, with the men tennentis and seruandis of the lairdis Drum and Petfoddells, howbeit thame selffis had fled the kingdome, mony covenanteris men of the name of Forbes, throw plane feir, cam in to Abirdein, and yeildit to the barronis; bot no covenanter of the tounes men durst be sein vpone the calsey, and thair houssis wes weill quarterit for intertenneing of the soldiouris, alsweill as the antecovenanteris houssis wes quarterit be Generall Montroiss or Governour Marschall abefoir. Bot all was sustenit vpone the tounes charges, for nather covenanter nor antecovenanter gat payment worthy ane plak. The barronis wes estimat now in Abirdein to be about the number of fyve hundreth horss men, and sevin hundreth footmen; besydis Lodouick, the Marquess of Huntlie his fourt sone, cam doun Diesyde with sum Hieland men out of Bray of Mar, wnder Donald Farquharsone, and wnder the laird Abirzeldie, and diuerss vtheris, amonges whome James Grant the sumtyme rebell wes also with his followeris, about 500 men. Thay took in the place of Durris, pertening to Johne Forbes of Leslie, a gryte covenanter. Thair wes litle plenishing left onconvoyit away befoir thair cuming. Aluaies, thay gat good beir and aill, bruk wp girnellis and book bannokis at good fyres, and drank mirrellie vpone the lairdis best drink, syne careit away with thame alss mekill victuall as thay could beir, quhilk thay culd not get eitin and distroyit; and syne removit from that to Echt, Skeyne, Monymvsk, and vtheris houssis pertening to the name of Forbes, all gryte cove-

No covenanter durst be sein in Abirdein.

Abirdein evill drest.

The number of the barronis men.

Lodovick Gordon bringis doun sum hieland men.

Thair number.

They took in Durris.

Thay go to Echt, Skeyn, Monimvsk, and vtheris covenanteris housis.

nanteris. The laird of Glenkindeis boundis wes also plunderit at this tyme be Donald Farquharsone, for taking of his armes away, as ye may sie befoir, folio .

Glenkindeis boundis plunderit be Donald Farquharsone.

The barronis, resolving to go to Durris and spolzie what wes left, randerit the keyis bak to the toune of Abirdein; and vpone Mononday the 20th of Maij thay rode out about the number foirsaid. Bot be the way, it is to be rememberit that the barronis haueing cum victoriouslie fra Turref to Abirdein, thay thocht best to send Johne Leith of Harthill, and Mr. Williame Lumsden, aduocat in Abirdein, vpone the 17th of Maij, to Dunnotter, to sound the Erll Marschallis mynd what he thocht of thir bussinessis, and to wnderstand if his lordschip wold behold thame, or if he wold raiss forcess aganes thame, quhairby thay micht be vpone thair guard. Quhairvnto the Erll ansuerit he culd say nothing, whill he had aucht dayes laser to be advysit with his freindis. It is said the Erll wes not weill content with thir commissioneris, and scarss gat presens, the ane being the maner of ane plesant, the other being ane papist. Aluaies, thay returne with this ansuer to the barronis, quhairat thay war not weill contentit. Thairefter, Mr. Robert Gordon of Straloche, and James Burnet of Cragmyll, brother german to the laird of Leyis, tuo peciabill weill set gentilmen, and feiring gryte trubbill schortlie to follow if the barronis keipit the feildis, being assured ane army wold be raisit wp aganes thame, and thairfoir labourit to get our barronis to brak wp thair army, for eschewing of innocent blood. And to this effect thay ryde both to Dunnotter, and speikis with the Erll Marshall, who declairit to them he had no intentioun to raiss armes except he had ordour from the Table; and if the barronis wold dissolue thair army, he wold give them lauchfull tyme of aduertesment to reconvein thair forcess for thair awin defenss, and in the meintyme that thay sould not trouble nor molest Marschallis ground. Thir speches wes thocht to be past, bot thair wes no wreit takin thairvpone; and as sum said Marschall denyit this termes of commoning, as heirefter ye sall heir. Aluyss the barronis, vpone Mononday the 20th of Maij, rode out of Abirdene, wp Die syde to Durris, and plunderit sic as thay could get from the name of Forbessis and vtheris covenanteris. Thay war led be livetennant crovner Johnstoun, thair

The barronis randeris the touns keyis.
Resolves to go to Durris.

Bot first thay send tuo commissioneris to the Erll Marshall, to know his mynd if he wold rys aganist thame.

Marschallis ansuer; he is not content with sic commissioneris.

Thay return with thair ansuer.
The barrons not weill pleasit.
Mr. Robert Gordoun, and James Burnet rydis agane to Marschell, soundis his mynd.

His ansuer and terms of commoning, quhilk thay bring bak to the barrons in Abirdein.

Marschall refuisis the commoning.

The barronis rydis out to Durris. Thair leidaris, capitans, and commanderis.

Generall, crowner Gairdin, capitane Ker, and Arthour Forbes of Blaktoun, expert and brave commanderis, with sum vtheris, who keipit thair counsall of warr daylie whill as thay war in Abirdein within the tolbuith; and Generall Johnstoun for his wit and policie wes honored amongst thame all, and had the first place at all thair meitingis. Efter the plundering of Durris, the barronis, heiring no occasioun of raising of forces, and confident of Mr. Robert Gordoun of Straloche, and James Burnet of Cragmyll, thair speiches, resolvit to dispers thair army, and ilk man to go home to his owne houss, and beheld the Hieland men to go plunder wp and doun amongst the covenanteris as thay best pleissit. And so vnhappellie thay dissoluit thair army vpone the 21st of Maij, and that sam nicht vpone the nicht thair onlie returnit bak to Abirdein the barronis, with about 30 horss of altogidder, that wes with sic barronis as cam quyetlie to the toun vpone the Tuysday, and 21st of Maij foirsaid. Wednisday thay stayit all day, and whill Thuirsday in the morning. Thay did no wrong within the toune, bot leivit vpone thair awin expenssis at this tyme. In the meintyme, the Erll Marschall haveing sure intelligens of the skailling of the barronis army, began haistellie to convein forces throw Angouss and Mernis, and cumis to Tullohill besyde Banchorie Devnik vpone the 23rd of Maij, being Thuirsday, about 800 horss and fut. The maist pairt of the barronis being in Abirdein, looking for nothing less nor this army, according to the commouneris speiches, except vpone lauchfull advertesment, evidentlie now perceaves how thay war deceavit wnder trust, and wes heighlie offendit at the skailling of thair army so rashlie as thay did, without ony warrand fra the Erll Marschall, who constantlie refuisit any sic commouning with Mr. Robert Gordone and James Burnet as thay had promesit in his name. Aluaies, the barronis had no bodie to blame for this heighe vnlookit for disgrace bot thir tuo commouneris, to whome thay gave too muche credet in this bussines.

In this meintyme, Mr. Dauid Lyndsay, persone of Balhelvie, cam in vpone the 16th of Maij to keip the subsynod at Abirdein, according to the last ordinans, sie folio . Diuerss ministeris cam also. Him self preichit, and touchit the antecovenanteris vpone periurie and brak of promess aganes thair covenant aith and subscriptioun.

Thair counsall of warr.

Generall Johnstoun.

The barronis trusting to Mr. Robert Gordoun and James Burnetis commoning, dispersis thair army.

The hieland men plunderis the covenanteris.

30 horss cumis bak of the barronis to Abirdein.

Thay did no wrong, bot leivit vpone thair own expenssis.

Marshall beginis haistelly to convein—cums to Tullohill.

His forces.

The barrons ar deceavit, and wax wod at the skailling of there army.

Marschall refuisit the commoning brocht to thame.

Thay blamit the commouneris.

Mr. Dauid Lyndsay haldis ane subsinod.

He preichis.

Quhairat the barronis foirsaidis, being yit in Abirdein, took exceptioun. Efter sermon, as the forme is, the ministrie sittis doun in the sessioun hous, and callis thair names and nottis the absentis; bot the Lord Fraser, the maister of Forbes, the laird Tollie Barclay, and rest of the laick elderis cam not to this subsinod, becaus the barronis wes in the toune befoir thame. Aluaies, but more bussines, the subsinod dissolues; bot the moderatour and his wyffis horsis war plunderit out of the stable, and himself narrowlie escaipit, vtheruaies he wold haif bene reproveit for his bold preiching aganis the barronis, in thair awin heiring sitting within the kirk.

The barronis ar offendit.

The laick elderis cam not.

The subsynod dissolues.

The moderatour escapis, bot his horss is plunderit, for his bold preiching.

Now to returne to the barronis: Thay, seing thame selfis vnhabill to meit the Erll Marschall, resoluit to quyte the toun, did no wrong, but tuke thair intertynnement; and vpone Thuirsday in the morning, the 23rd of Maij, thay ryde thairfra touardis Strathbogie, as wes said about 30 horss, quhair thay had ane meiting 24th May; bot did no good to thame selffis, bot wo and wrak, as heirefter do appeir, folio .

The barronis leaves Abirdein, and rydis to Strabogie.

Ane meiting.

Vpone Sonday the 19th of Maij, the barronis being in Abirdein, the bischop Bellenden cam peirtlie to his lodging in New Abirdein, with his ordiner servandis; syne vpone the morne cam over to the Oldtoun to sie his owne pallace, and returnit bak to New Abirdein agane, quhair he durst not byde long bot wes forsit to flie, as ye may sie heirefter, folio on the vther syd.

The bischop returnis to Abirdein, bot stayit not long.

Howsone the Table wnderstood how the barronis wes recept in Abirdein, thay schortlie causis ward Mr. Robert Farquhar, Mr. Thomas Gray, Johne Hay, and George Moresoun, thair commissioneris, whill payment wes maid of thair fyne of 40,000 merkis, as ye may sie befoir, folio 109, bot wes not takin wp by ressone of the pacificatioun, sie folio 141; bot wes vtheruayes pitifullie fynit, as ye may sie, folio 144, folios 201, 203.

Abirdeins commissioneris wardit in Edinbrugh.

Now this same Thuirsday, and 23rd of Maij, that the barronis left Abirdene, the Erll Marschall raisis his army fra Tullohill, and cumis in to Abirdein, and of new agane takis in the toun, mellis with the keyis of portis, kirkis, and tolbuith, and quarteris his soldiouris throw the haill houssis thairof. The antecovenanteris foirseing his cuming fled, schiftit thair goodis, and sum lokkit wp thair yettis and houss durris, and ilk ane went a sindrie way.

Marschall raisis his army, cumis to Abirdein, takis the tounis keyis, quarteris his soldiouris.

The ante covenanteris fleis thair tyme about.

r bischop, his sone, ...marius, Mr Alex^r ...ius, Mr Alex^r. ...gis, thay schip, and the King go thay bot in their travel.

The bischop of Abirdein, Johne Bellenden his sone, Mr. Johne Bellenden his nepheu, and Johne Blakwod his servitour, the laird of Cromartie younger, Mr. Alex^r Innes, persone of Rothimay, Mr Alex^r Seruple, younger, ane of the regentis in the colledge of Auld Abirdein, and sum vtheris, that same veray day that Marschall cam in, thay went aboord of Andrew Fyndlay, skiper, his schip, being lying in the road and attending thair service, (being ane Abirdeins man him self) and hasteliz hoysit vp saill, and to England for the King gois he; bot all for nocht, since thay ar all feruit to cum hame agane, except onlie the bischop who durst not returne, as ye hase, folio .

r covenanteris re- ...s prowdlie to Abir- n.

irdene is miserablie ...dlie.

The covenanteris, who had fled the toune befoir, returnis prowdlie bak agane, and occupis the calsey courageously. Thus is this miserabill brughe of Abirdein brocht agane vnder slaverie and subiectioun but anehtorine, for giveing way to the barronis, whome thay war vnhabill to hold out of thair toune be force of armes, as wes weill knowne.

r Erll Marschallis ...the Lord Fraser, ...maister of Forbes, ...diuers vtheris ...is to Abirdein.

quarteris in Old irdein

Vpone Frydday the 24th of Maij, the Erll Marschallis men of Mar, Skein, and Kintor, the Lord Fraser, the maister of Forbes, thair kin, freindis, and followeris, with diuers barronis, cumis in to Abirdein about 2000 men. Thair wes about 200 of the maister of Forbes and the laird of Cragiwaris men quarterit in Old Abirdein; thair intertynnement wes small, and thay payit als littill for it, being 200 horss and fut as said is. Mony of this company went and brak vp the bischopis yettis, set on good fyres of his peites standing within the cloiss; thay maisterfullie brak vp the hall durris and wyndois of this staitlie houss; thay brak doun beddis, burdes, capalmreis, glassin windois; took out the iron stancheonis, brak af the lokkis, and sic as thay culd cary had with thame, and sold for litle or nothing. Bot thay gat none of the bischopis plenishing to speik of, becaus it wes all convoyit away befoir thair cuming, out of thair get, sie folio 126. Thus is this statelie houss pitifullie abuseit be thir miserabill rascallis, followeris and soldiouris of the maister of Forbes and Cragiwar, albeit the bischop of Abirdein wes vncle to the same maister of Forbes, being his father brother vpone the mother syde; yit no respect wes had heir to blood in thir miserabill dayes. The bischop of Brechins houss wes

r bischopis yettis ...kin vp.
peites brynt.
y abuse his houss ...fullie, brakis doun ...distroyis all.

bischopis plenishing ...servit.

Forbesis and bischopis freindis actors his oppression.

so vseit, and himself, wyf and children, forsit to saif thair lives be flicht. Richt so the bischop of Sanctandrois hous, in the Abay of Holieroodhous, wes so handlit. Pitifull to sie this our good causs begin with sic barbaretie, as braking doun of booldinges and plenishing thairof.

The bischop of Brechins houss is so vsit.
The bischop of Sanct Androis houss is so vsit.
Gryte barbaritie.

Now the countrie lordis and barronis of the covenant, being cum in to the Erll Marschall, as ye haue hard, send out thair horssis and distroyit both girss and corne, fed quhair thay pleissit in the bischopis waird, and round about New Abirdein, to the gryte greif and skaith of the poor laboreris; bot thay durst not complane.

Cornes cittin and destroyit without respect to the poor laboreris.

And vpone Setterday the 25th of May, the Erll of Montroiss, the Erll of Kingorne, the Lord Drummond, the Lord Couper, the maister of Gray, the young constabull of Dundie, and diuerss vtheris, cam to Abirdein about thrie efternone. Thay war estimat to 4000 men foot and horss, by baggage horss estimat to about 300, haueing and careing thair prouisioun, with 13 feild peices. Thay enterit the toun at the Over Kirkget port in ordour of battell, with sounding of trvmpettis, touking of drumis, and displayit baneris; went doun throw the Bred get, throw the Castell get, and to the Queinis linkis marche thay, quhair all that nicht thay stayit wnder strait watche.

The Erllis of Montroiss, Kingorne, and diuerss vtheris cumis to Abirdein.
Thair number.
Thair baggage; thair feild peicis.
Thay marche throw the toun to the Queinis lynkis.

The ressone of the conventioun of this haill army, south and north, wes aganes the barronis and Banf for staying of the committe at Turref, as ye haue hard, and for oppressing and feiring of the covenanteris both in brughe and land, and for taking ordour with sic as had not yit subscrivit the covenant in thir north pairtis, and for plundering of the covenanteris houssis, goodis, and geir, as ye haue hard. Now Abirdene beginis agane to grone and mak sore lamentatioun at the incuming of this huge army, whome thay war vnhable to susteine, or get meit to by, being estimat as follouis, viz.: 4000 men out of Angouss and Strathern, and vther pairtis about; the Erll Marschall, 900 men out of Buchane, Mernis, and Marr; the Lord Fraser, the maister of Forbes, the tutour of Petsligo, the lairdis of Monymvsk, Leslie, Echt, Cragiwar, Glenkindie, Delgatie, and many vther countrie barronis, estimat to 1000 men; the Erll of Atholl had 300 men in hieland armes, with whome he cam him self; the laird of Phillorth, Kermvk, Wdny, and diuerss

The ressone of this army.
Abirdene sore afflicted.
The number of this army.
Hard to be sustenit in Abirdein.

[illegible] there cam a to the toun. [illegible] there was almost 4000 brave men in horse and foot cuming out of Caithness, Strathnaver, Sutherland, Ross, and Murray, the Erll of Sutherr, the Lord Lovat, the laird of Ross, the schirref of Murray, the lairdis of Innes, Pluscardyne, with diverss vthers barrons, gentrice, and commonaltie. The toune of Elgin being verie neir twenty myllis Aberdein to meit with the army thair, was instantlie intercepted and withstood be the laird of Garviock and laird of Innes, who haistelie convenit ane brave company of horse and foot, and raid over Spey: whairat the toune of Elgin was sair effrayit, and stood in their armes. The Erll of Sutherr and the rest, seing their barrounis boldlie ryd Spey and cum furniasit in ordour of battell, they go to array and maniten to meit thame, and wes vpone their marche within three myllis to vthers. In the meintyme, sum peciable gentlemen on both sydis entrit the matter so, that Murray, Ross, Sutherland, and the rest sould not cum over Spey, bot returne hame to their housis: and on the vther pairt the barrouis of the name of Gordoun, Fraser, and the rest sould returne over Spey, and go to their housis. And thus thir countrie people of Caithness, Strathnaver, and the rest wes stayit on cum to Abirdein at this tyme to the rest of the army, quhairat gryte exceptioun wes takin. This wes done be the barrouis vpone the xxviij day of Maij.

Vpone the 29th of Maij, being Sonday, the Erll of Montroiss, now callit Lyknaies Generall, with the rest of the nobles, hard deuotioun; bot the renegate soldiouris, in tyme of both preichinges, is abuseing and plundering New Abirdein pitifullie, without regaird to God or man. And in the meintyme, girss and cornes eitten and distroyit about bothe Abirdeins, without feir of the maledictionis of the poor laboureris of the ground.

This same Sonday, efter efternones sermon, the Generall gave ordour to quarter his haill soldiouris within both Abirdeins, quhilk wes done that nicht; and on the morne, in New Abirdein, becaus Old Abirdein wes quarterit abefoir for the maister of Forbes, his kin and freindis. The bischops seruandis saiffit his bookis and vther innicht and plenishing, and hid thame in nichtbouris houssis of the toune from the violens of the renegat soldiouris, who brak doun and demolishit all thay could get within the bischopis houss,

without making ony gryte benefit to thame selffis, as ye hard befoir, folio 124.

And as the bischopis hous wes thus abuseit and spolzeit, richt sua the cornes wes eittin and distroyit be the horss of this gryte army, both nicht and day, during thair abode. The salmound fisheris, both of Die and Done, maisterfullie oppressit, and thair salmound takin from thame, quhairvpone ane of thir rascall soldioures wes slayne at Die syde be the water men. Now, thir wateris pertening heretablie for the most pairt to burgess covenanteris, thay complanit vpone thir oppressiouns to the Generall, who commandit ane watche, nicht and day, to keip and defend both the rivers of Die and Done from suche wrongis and oppressioun; and thus the water men war maid frie; bot the countrie round about wes pitifullie plunderit, meill girnellis brokin wp, eittin and consumeit; no foull, cok, or hen left on killit. The haill houss dogis, messenis, and quholpis within Abirdene fellit and slayne vpone the get, so that nather hound nor messen or vther dog wes left that thay could sie. The ressone wes, when the first army cam heir ilk capitane, commander, seruand, and soldiour had ane blew ribbin about his crag; in despyte and derisioun quhairof, when thay removit from Abirdein, sum wemen of Abirdein, as wes alledgit, knyt blew ribbinis about thair messens cragis, quhairat thir soldiouris took offence, and killit all thair dogis for this causs.

The cornis nicht and day distroyit.

The salmound fisheris oppresit.

Ane soldiour slayne.

Ane watch set at Die and Done.

Gryt oppressioun.

Girnellis brokin wp.
Foullis killit.
Dogis and messenis feld.

The resson heirof.

The blew ribbin knyt about messenis cragis.

Vpone Mononday, 27th Maij, the Generall gois to ane counsall of warr. Thay tak fra the toun of Abirdene ten thousand merkis to saif it from plundering, and took tuelf peice of ordinans also from thame, schippit thame in a bark lying at the key heid, mynding to send thame to Montroiss; bot he wes disapointit, sie folio 130. Thair armes wes plunderit, 17 mvscatis wes takin out of the college, and Mr. Johne Lundeis houss, sie moir, folio 144, sie folio 130, how Oboyne takis thir armes bak agane.

Ane counsall of warr.

10,000 markis payit be Abirdein. Thair 12 peice of ordinance schippit.

Thair armes plunderit.
The college armes plunderit.

This samen Mononday, the lairdis of Delgatie and Ludquharne, cled with the Erllis of Erroll and Marschallis men, cam and took in the place of Foveran, pertening to schir Johne Turing, knicht, and place of Knokhall, pertening to Johne Wdny of that ilk, both antecovenanteris. Thay sustenit thame selffis, thair men and horss vpone thair ground so long as the army stayit in Abirdein, and did no more skaith.

Foverane and Knokhall takin in.

The laird of Clunyis yettis brokin wp—his pikis takin out.

Thir soldiouris brak wp the laird of Clunyis yettis in Old Abirdein and hall durr, went in and took out about sex scoir pikis, quhilk, at the Generallis command, wes givin to the maister of Forbes men; and no more skaith wes done within that houss, Cluny him selff being absent.

Oldtoun armes plunderit be Cragivar.

The drvm went throw the Oldtoun, commanding and chargeing the haill induellaris to cum the samen day, and 27th of Maij, with thair haill armes to Mr. Thomas Lilleis houss, and deliuer the samen to the laird of Cragiwarr, wnder the pane of death. The Oldtoun people, trymbling for feir at this vncouth kynd off charge, cam all rining to Mr. Thomas Lilleis houss with sum few muscatis and hagbuttis, vtheris with ane rovstie suord, vtheris with ane heidles speir. The laird of Cragiwar takis wp all, both good and bad, and divydit thame amongis his owne armles soldiouris. Thus wes thir poor Oldtoun men oppressit and spolzeit of thair armes, but law or auchtoritie, bot no vther goodis nor geir wes plunderit out of any of the tounes of Abirdein, as the Generall had givin ordour, except armes and the tounes fyne.

Cragiwar takis all the armes out of Old Abirdein.
He gave thame to his armles soldiouris.

The tutour of Petaligo and Phillorth, ludgis in the college.

Tuysday, 28th Maij, the tutour of Petsligo and laird of Phillorth cam with about 200 men to attend the Generallis seruice. Thay war forsit to lodge in our Oldtoun Colledge, for vther quarteris culd thay not get that nicht.

Muster in the lynkis.

The same Tuysday, the haill army warnit be tovk of drum to go to the lynkis, whair thay war musterit, about tua efter none, syne put bak to thair quarteris that night.

The Marquess abusit.

Ye hard abefoir, folio 112, how the noble Marques of Huntlie wes dishonorablie takin and wairdit, and of his evill vsage; none of his dochteris sufferit to byd with him; his eldest sone not sufferit to ly in the chalmer with him self, bot he him self allone. Attour, he wes compellit, opone his owne expenssis, to sustene fyve gardians to over watche him, as if he had bene ane odiouss traittour or grevous malefactour. All this he behovit to suffer for the Kingis causs, who wes neuer latin to wnderstand the treuth of this Marquess misereis; bot contrarie wayss, by his cruell and malignant enemeis the King wes informit that the Marquess had provin disloyall, had yeildit willinglie and subscrivit the covenant, and that he had sauld the Kinges armes whiche cam from Ingland to him to

He is falsly calumniat to the King.

the Kinges enemeis, covenanteris, and that he cam in willinglie to Abirdein of set purpoiss to be takin be Montroiss and his complices. Thus wes this noble Marquess falslie traduceit to his Majestie, (quhairof he then had no knowledge) and doubtless it offendit the King in heiche mesour whill the treuth wes tryit, and the Marquess found loyall and trew be his Majestie; and then the King beginis to lament the misereis that this noble Marquess was brocht wnder for his saik, bot culd onnawayis releive nor help him, who keipit waird still whill folio 144.

The King is offendit quhill he hard the truthe.

Then is moir sory at his misery.

The toune of Abirdein, seing thame selffis sore opprest by the feiding and susteining of thir armyes without payment, besydes vtheris slavereis, began havellie to regrait thair misereis to the Generall, and rest of the nobles and commanderis, saying thay had subscrivit the covenant, and yet wes borne doun and persecute daylie, whair as the rest of the haill burrowis of Scotland leivit at peace and rest, but perturbatioun or inquietatioun. Thair wes no compassioun had to thir complaintis, bot the Generall answerit, ye haue done what ye can to saiff the King and his subiectis vnsatled in peace, and red letteris send be the Marques of Huntlie and toun of Abirdein to his Majestie, assureing him of thair seruice, and that he wold get gryte assistance in the north, if his Majestie had ado (quhilkis letteris war interceptit be the covenanteris on the way); and that efter thay had suorne and subscrivit the covenant, thay had wilfullie and willinglie recept the barronis within thair toun, who war enemeis to the good causs, and to thair haill designis, and who had opprest and plunderit the trew covenanteris in thair persones, goodis, and geir; and thairfoir the toune of Abirdein wes not to be trustit nor beleivit (for the most pairt) to be good covenanteris, albeit thay had suorne and subscrivit thair covenant, as said is. Quhairvnto the toune of Abirdein maid ansuer, what thay had writtin or done wes out of good intent; and as for the barronis, thay had no pouer to hold thame out of thair brughe, and wes trublit and molestit be thame, and gat no more good. Bot no regaird wes had to thir ressones nor thair complaintes, bot forsit to suffer and abyde thir calameteis with veray sore hairtis. And as thay war opprest, so the countrie antecovenanteris wes pitifullie plagued and plunderit in thair victuallis, fleshis, foullis, and vther

Abirdene complanis vpone thair grevouss oppressiouns to the generall.

The generall his ansuer.

birdein replyis.

No heiring of thair complaint.

The countrie antecovenanteris sore opprest.

commodeteis, quhilk bred gryte scarsitie in this land, but auchtoretie of the King or regaird to thair countrie; for the quhilk they gat daylie maledictionis.

Many maledictioun is givin.

The King is at Newcastle.
Ingland refusis to raiss armes.
Thair reasons.

The King all this while is lying at Newcastell, with sum volunteires and few feit soldiouris, and Ingland had refuisit to raiss ane army, quhilk the King ernestlie desyrit, saying thay could not raiss armes aganes thair nichtbour kingdome, except thay had bene declairit by counsall or parliament oppin rebellis, and traittouris aganes his Majestie, according to the Scottis lawis. And howsoeuer, be instigatioun of wicked and malignant persones, he had send out his proclamationis, declairing thame rebellis and traittouris, without advyss of his counsall or parliament, yit it wes no ground or just causs to move oppin warr betuixt the King and his subiectis. Quhairvpone the King wes compellit, sore aganist his will, to ly all this tyme at Newcastle, not knowing of the secret clandestine band and combinatioun past betuixt the English and Scottis, quhairthrow he wes fullie disapointit of all his designes, as ye may sie heirefter at his cuming to Bervick, folios 142, 130.

The King kennis not the clandestyn covenant.

He is borne doun.

Banf, Newtoun, Foveran, Fedderit, schipis for the King.

Vpone Thuirsday the 30th of Maij, the lairdis of Banf, Newtoun, Foverane, Fedderet, and diuerss vtheris, takis schip at Downe,[a] and resoluis to go to the King, since thay culd not keip thair countrie with saiftie, sie more heircfter, folios 129 and 130, how the Lord Oboyne brocht thame bak agane.

Thay are brocht bak be Oboyn.

The generall beginis to marche throw Old Abirdein.
His foot men marchis first.
Thair number.

The foirsaid Thuirsday, about ten houris in the morning, the Generall raisis his army out of both Abirdeins, and begins to marche throw Old Abirdein. The foot men marches first, and the Generall with the horssmen followit. Thay war estimat about 6000 foot and horss, by baggage horss estimat to 600, that cam out of Angouss and Stratherne only, with thrie thousand men on horss and fut; 900 men cam fra the Erll Marschall out of Mernis, Kintor, and Skeyne; 1000 men cam fra the Lord Fraser, the maister of Forbes, the tutour of Petsligo, the laird of Phillorthe, with diuerss vtheris barronis of Buchane, Mar, and Gareoche. Thir people leivit all vpone the countrie and Abeirdeins, bot the Angous men had thair provisioun

[a] The town of Macduff is erected on the barony of Doune, and its harbour seems to be here indicated. As to the barony of Doune, see 'Antiquities of the shires of Aberdeen and Banff,' vol. ii., p. 372.

following thame vpone thair marche, bot vtheruayes leivit vpone thair quarteris as the rest did. Thair met the Generall on his way the Erll of Errollis men out of Buchane, and the Erll of Marschallis men out of that boundis also, with mony barronis; the Erll of Atholl with 200 hieland men wes lykuaies in this army. Thay took ane of the tounes cullouris of Abirdein, and gave it to the toune of Abirbrothokis soldiouris, becaus thay had none of thair owin, and quhilk wes not thair kynd to cary. Thus this army gois forduard in ordour of battell, with ensignes, trvmpettis, drums, bagpipes, capitanes, and commanderis throw the Oldtoun; followit ten brasin feild peces also, and went that nicht to Wdny, whair thay campit that nicht.

Ane of the tounis cullouris givin to Abirbrothok.

Not thair kynd to cary; yit givin agane.

Thair order—thair feild peices.

Frydday, the last of Maij, thay marchit from Wdny to the houss of Haddoche, pertening to the laird of Haddoche, callit Kellie.

Thair dayly marche.

Setterday, the first of Junij, thay marchit fra Kellie to the place of Geicht, quhair thay remanit all nicht. Thay did no more skaith, bot took thair intertynnement af of the ground whair euer thay cam, vpone thair owne privy ressones.

Thay cum to Geicht.

Now, as this army is lying at Geicht, resoluit to tak the houss, with the rest of the antecovenanteris houssis thairabout, sic as Wdny, Kellie, and sum vther places, thair cam to the road of Abirdein, vpone Sonday the 2nd of Junij, and Whitsonday, ane colzear schip, whairin wes imbarkit the Erllis of Glencarne and Tullibardin, the Lord Oboyne, the laird Drum, with crowner Gun, and sum vther English capitanes and leidares. This schip, meiting with the bark quhairin Banff, Fedderet, Newtoun and the rest wes, causit thame to cum aborde of thair schip, and leave thair voage. Thair cam also in ane bark, who wes in company of the said schip, sindrie of our Abirdeins men who had fled the toune and gone to England; and sic lyke sindrie ministeris, sic as Mr. Thomas Thoiris, minister at Wdny, Mr. Johne Patersone, minister at Foveran, Mr. Dauid Leitche, minister at Ellon, Mr. John Gregorie, minister at Dulmaok, Mr. Frances Thomsone, minister at Peterculter, Mr. Johne Kempt, preicher, with sum vtheris, who for this covenant had fled the countrie to the King. This gryte schip had also within hir store of ammvnitioun, pulder, ball, muskatis, suordis, pikis, and the lyk armes. Scho had ane pynnage following hir, and tuo barkis

The Erllis of Glencarne, Tullibardin, and Lord Oboyne cums to the rode.

Banf, Fedderet, Foverane, brocht with thame

Abirdeins men cumis also, sie folio 93.

Sindrie ministeris cumis also.

This schip is weill provydit.

Hir pynnage—tuo barkis.

lying besyde hir. In the ane, our Abirdeins men and ministeris wes; and the vther wes the bark quhairin the laird of Banf, Newtoun, Foverane, and Fedderet had schippit. This schip wes direct be the King to Forthe, quhair his royall navy wes lying, with speciall directioun to the Lord Oboyne to speik to the Admirall, and to receave 3000 soldiouris, with all kynd of provisioun and moneyis to sustein thame during the space of four monethis, fra him, according as his Majestie had commandit him; and that he sould land them at Abirdene or Cromartie for defens of the countrie and of brave Abirdein; and to send expert capitanes and commanderis, quhairby thay micht joyne and knyt with the Kingis loyall subiectis in the north, for thair defenss as said is. The Lord Aboyne speikis the Admirall in Forthe according to the Kingis command. He daylie day promesis, bot neuer myndis to performe, as he who is set aganist the Kingis courss. The Lord Aboyne dependis day by day, bot cumis not speid; and the Admirallis last ansuer wes, that he sould cum his way to the road of Abirdein, and he sould haue his soldiouris schortlie efter him. The Lord Aboyne beleiving his word, and wnder no suspitioun of deceat, he takis his leive, and forduard cumis he to the road of Abirdein, vpone the said second day of Junij, with his pynnage; bot be the way he meitis ane bark going to Montross with sum sevin peice of ordinans, and mvskatis, suordis, pikis, and vther brave armes plunderit from Abirdein, as ye haue, folio 126, direct be the Generall to Montross; bot Oboyne takis this bark, ordinance, and armes, and bringis the ordinans and armes to the road; and heiring Montroiss had schippit vther five peice of ordinance, and send to Dundie, quhilk belongit to Abirdein, he sendis haistellie and takis this fyve peice of ordinance also; quhairat Generall Montross is muche offendit.

About the last of Maij his Majestie cam to Bervik with 7000 foot land soldiouris, 3000 horss men, and 500 dragvneris, whairvpone ane soldiour rydis, lichtis, and fightis on fut. Richt sua he had directit out abefoir ane navie from England, to cum to Forth of 30 schipis, quairof thair wes sum schipis royall. His Majestie also maid the Marques of Hammiltoun his admirall over this fleit, quhairin thair wes about 8000 soldiouris, capitanes and commanderis, by skipperis and sailleris, with pulder, ball, ammvnitioun,

The Lord Oboyn speikis the Admirall for soldiouris—fair promesis bot no performans.

The Lord Oboyns last ansuer.

He cums to the road. He takis bak the touns ordinance and armes.

Montross is offendit.

The King is at Bervick.

His land army.

His sea army direct out.

His Admirall.

His men, and provisioun.

and vther prouisioun necessar for four monethis space, and moneyis about 13,000 li. stirling. He directit this admirall (in whome he had too muche trust) to land 3000 soldiouris for defens of Abirdein and the northe, as is formerlie said; quhilk he slichtit fairlie, as ye may sie how he past out of Forth, folio .

His directioun touardis Oboyn's soldiouris.

The Lord Oboyne cumis to the road of Abirdein, still luiking for the cuming of his soldiouris, bot he wes begyllit. Aluaies, according to the lawis of the sea, he sendis the 12 peice of ordinans to the good Lord Admirall, as sea plundering, bot more wyslie he keipit all the rest of the tounes armour to him self, and did not send thame also; quhilk 12 peices wes left vpone the schoir of Brunt Iland be the Admirall, when he went out of Forthe bak with his army, whair thay yit ly.

Oboyne still luikis for soldiouris, bot is begyllit.

He sendis the 12 peice of ordinance to the Admirall.

He leaves thame at Brunt Iland.

Now howsone the tounes covenanteris hard that the King wes cum to Bervick with ane land army, and ane navie cum to Forth, and thair with seing the colzear with ane pynnage, and tuo vther barkis cum to the road, thay aprehendit gryte feir and dreddour, and haistellie send word to the army lying at Geicht, who schortlie left the seige but more skaith; and vpone Mononday the 3rd of Junij thay cam all in marcheing to Abirdein, without doing of more vassallage; albeit thair resolutioun wes to haue wrackit and abusit the haill barronis and gentrie who wes at the raid of Turreff, as ye haue hard, folio , and that be plane force, without auchtoretie of ane King or law. Howsoeuer thay plunderit thair victuallis, beif and mvtton, cok and hen, distroyit both girss and corne quhair euer thay cam, to the gryte wrak of the countrie. Yit God blissit the cornes thus eitin and distroyit, that thay produceit ane plentifull cropt; yit petes and fyre wes veray scarss, throw want of seruandis to cast and win thame, and thir troubles in the countrie.

Abirdeins covenanteris beginis to feir.

Thay post to the army at Geicht.

Thay leave the seige.

Thay returne to Abirdein.

Thay tuke thair meit, distroyit cornes; bot did no moir skaith.

God blist the cropt.

Fyre scarss.

It is said, whill this army is lying at Geicht, Johne Spens Rothesay herauld, wes send for be the laird of Dvn, or takin and aprehendit be him as ane antecovenanter; as lykuaies Allaster Sandisoun, messinger, being doing his lauchfull effaires within the Mernis, wes, be the meinis of ane recanting Jesuit callit Abirnethie, takin, with ane Abirdeins burges callit Johne Gordoun; and thay with Johne Spenss wes had, all thrie, to Dunnotter as antecovenanteris, and wairdit in ane strait dvngeoun, put in the ironis, but

Johne Spenss Rothsay herald, Allaster Sandysone messinger, Johne Gordoun burgess takin and laid in the ironis, but offence.

ony offens bot being the Kingis servandis. No comfort thay had of fyre or candle, meit or drink, or bedding, bot lay fast in the ironis, day and nicht, without sun schyne or licht of the hevins, and wes miserablie fed vpone broun bred and small drink during the space of 14 dayis, whill it pleissit the Lord to releive thame, as ye may heirefter sie, folio 144. Thus wes the Kingis herauldis, messingeris and burgessis, cruellie demanit and abusit, without respect to the King or his lawis.

Doctor Scrogy preichis at Old Abirdein.

It is heir also to be nottit, that Doctor Scrogie, seing thir schippis cum to the road, he cam bak and preichit at his Oldtoun kirk vpone Witsonday, who durst not be sein sen the 19th of Maij, sie more of him heirefter, folio .

Tovking of drumis to defend the incuming of thir schippis, and to attend the incuming of the army.

Ye hard, folio 131, how the army cam bak agane from Geicht to Abirdein, vpone the covenanteris aduertisment, who no doubt had gottin counsall and advyss be moyan of the Marques of Hammiltoun, to reteir. Now, befoir the incuming of the army, Abirdein cairfullie causit tovk drumis throw the toun, chargeing all maner of man to be in reddiness with thair best armes to defend the incuming of thir schippis lying in the road, and to attend the incuming of the army from Geicht, who cam in, as ye hard, about fyve houris at evin. Bot befoir thair incuming the toun of Abirdein, the toun send out to the road Mr. Mathow Lumsden and sum vther honest men commissioneris for thame, to demand what thay war, and what wes the causs of thair cuming. The Lord of Oboyne gave thame no good ansuer, bot dismissit thame shortlie; and in the meintyme keipit besyd him the said Mr. Mathow Lumsden, becaus he wes ane knowne covenanter, quhill he gat libertie, sie folio 135.

Mr. Mathow Lumsden, and vtheris send aboord.

Thair commissioun.

Mr. Mathow Lumsden keipit fast.

The Erll Marschall leavis the army, and rydis to Dunnotter.

The same Mononday that the army cam bak to Abirdein, the Erll Marschall left thame in the toun, and that same nicht rydis to Dunnotter with sum few horssis. The army bydis still, Mononday all nicht, Tuysday, and on Wednisday trvmpettis soundis and drumis tovkis, liftis thair army and beginis to marche south agane, careing in thair company thair feild peices, quhairat the toune of Abirdein wes veray joyfull and glaid to be frie of thair quartering and charges, quhilk wes no small burden to thame. The nobles rydis that nicht to Dunnotter, syne south, and scatterit thair army, to the gryte feir and dreddour of the covenanteris within Abirdein;

The army gois south agane.

Thay haue thair feild peices.

Abirdein is glad.

The nobles gois to Dunnotter.

The covenanteris ar feirit.

for prouest Joffrey, Patrik Leslie, Johne Leslie, the Burnetis, Thomas Mowat, Thomas Moortymer, and mony vtheris of that factioun, took all the flight fra the toune, ilk man for his awin saiftie, efter thay had first put thair goodis and best geir out of the way.

Thay tak the flicht, hyds thair goodis.

In like maner the Erll Marschall causit transport his haill goodis and geir out of his hous in Abirdein, sic as micht be transportit, to Dunnotter; bot his meill girnellis baid behind, quhilk wes weill plunderit, as ye sall heir.

Marschall transportis his goodis to Dunnotter.

His girnellis ar plunderit of victuall.

This colzear schip with her pynnage, and two vther barkis, lyis still in the road, to whome went out of Abirdein diuerss ladeis and gentilwomen to sie and salute them, who war maid welcum, and returnit bak agane saiflie.

Diuerss ladeis and gentill women gois abord.

Vpone Thuirsday the sext of Junij, the Erll of Glencarne, the Erll of Tullibardin, the Lord of Oboyne, the laird of Drum, the laird of Fedderet, the laird of Foverane, the laird of Newtoun, and thair followeris, cam a schoir; with whome cam also the laird of Banf sore seik in the hot fever, and transportit in ane wand bed to Williame Cordineris hous in New Abirdein, and from that careit in the said wand bed to Foveran, whair he lay still whill God send him his helth agane.

The Erllis of Glencarne, Tullibardin, the Lord Oboyn, Drum, Fedderet, and vtheris cums a schoir.

Banf landis seik—he is convoyit to Foveran.

Thair cam also a schoir crovner Gvn, with diuerss vtheris English capitanes and officiares; and immediatelie efter thair landing, the Lord Oboyn causis Robert Irving, ane of the tounes officiares, (becauss nather herauld, pursevant, nor messinger could be found) go to the cross, and thair, as he had ordour fra the King, causis mak proclamatioun of ane imprintit paper, commanding all his Majesteis loyall subiectis not to obey the covenanteris maillis, fermes, nor dewteis, nor obligatioun debt, bot to pay the ane half to the King, and the vther half to be keipit be thame selffis; that sic as wes threatned or persuadit to subscrive the covenant aganist thair will, vpone thair repentans, sould be remitted and forgiven; and that ilk trew subiect sould cum in and subscrive the oath vrgit in Ingland, quhairof the tennour followis:—

Crovner Gvn and vtheris capitans landis.

Proclamatioun maid at the cross of Abirdein.

The contentis thairof.

The othe to be subscrivit.

I do faithfullie sueir, profess, and promeiss, that I will honor and obey my Soueraigne Lord King Charles, and will bear furth ane trew allegians vnto him,

The copie of the oathe.

and defend and maintayne his royal power and auctoritie: and that I will not bair armes, nor do any rebellious act or hostil against him, or pretext against any of his royal commands, but submit my self in all thes thinges: and that I will not enter in any covenant or band of mutual defence and assistance, of any sort of persons, by force, without his Majestie's warrant royal auctoritie: and do renunce and abjure all other bands and covenants whatsomever, contrair to what I have sworne, more precisse and permanent, as help me God in Christ Jesus.

This rebe subscrivit at England

This rebe was imprentit at England, sworne and subscrivit by all the Kinges royal subiectes thair, quhairof the Lord Oboyne brocht ane imprentit bundle, to be subscrivet heir in thir partis.

The Lord Aboyne lieutennentis proclamatioun

Lykeas, his Majestie hauing maid him lieutennant in the north, in his absence place, now lying in expectatioun he causit evin then proclame the same at the mait mercat cross, heiring him to be lieutennant for the maist worthie in Christindome. This proclamationis endit, the nobles went to supper in the toun, but cam doun to Futtie wall quhairon was set ane thrie nuikes maid as wes leuall to the King, with baytton and musick. The haill nyght in Futtie, and other supper went abowt in thair awne schip houses sounding vpone thame, quhair they stayit that nicht, hoping for men from the Admirall Hammiltoun, bot nane cam as all. Abirden, the Erll of Monteroise, and Erll of Tullibardin, chancellor, within two or thrie dayes, and thair lay at the Laird of Oboyne in Aberdein, and departed hame.

The Erlis of Huntlie and Aboyne

The Erlis of Huntlie and Aboyne

Huntlie cumis

Huntlie with power

Huntlie with power

Huntlie cumis to Aberdein

Lykeas Huntlie, the chief name of the Laird Marquess of Huntlie, hearing of the cuming of his brother the Laird of Oboyne, with assurance of 2000 men to cum from the Admirall, he hastellie raises his haiers ground, freinds, and inhabitants, men tenentis and servandis, who most gaudlie and willinglie cam with him. And vpone Tysday, the 7 of Junij, marchis in braue ordour, about 1200 men of horse and foot, weill armit brawe men, with capitanis, commanderis, and maisters, trumpets, drums, and bagpypes, and at Aberdein cam thair to meit the Laird Oboyne, hauing also in thair company four field peices of brass, quilk they brocht with thame out of Strathbogye. Thus agane at Aberdein brocht wonder admiration and quaikeing the inhabitantis being all fled from thair houses, that nane durst gang about thair awne affairis without any gaip.

The nobles cums agane on schoir to meit this company, with crovner Gvn and sum vther English captenis. Thay tak in both Abirdeins, and quarteris thair soldiouris. The Erllis of Glencarne and Tullibardin takis thair leive as said is.

Both Abirdeins ar quarterit, and takin in.

Johne Dvgar, with his lawles folloueris, wes in this company, and lodgit in Old Abirdein in George Kingis houss; bot he wes schortlie dischargeit as ane renegat lymmar, bloodschedder, and murtherar, and in quhat soeuer company he wes, the same could not weill prosper, as wes most evident. Yit it is trew Lues knew nothing of his being in his company.

Johne Dvgar is dischargeit.

The laird Drum send in the same nicht to the toune 100 horss, being Setterday.

Drum sendis in 100 horss.

James Grant, the sumtyme rebell, and now remittit, cums in this Setterday with his folloueris, and takis wp his lodging at Done syde in Patrik Lesleis houss.

James Grant cumis in.

Donald Farquharsone and his hieland men cums to the toune. Thir saulless lovnis plunderit meit, drink, and scheip quhair euer thay cam. Thay oppressit the Oldtoun, and brocht in out of the countrie honest menis scheip, and sold at the cross of Old Abirdein to sic as wold by, ane scheip vpone foot for ane groat. The poor men that aucht thame followit in and coft bak thair awin scheip agane, sic as wes left vnslayne for thair meit.

Donald Farquharsone cums in.
Gryt plunderaris.
The Oldtoun oppressit.
Ane scheip sold for ane grot.

The foirsaid Setterday, all maner of man within bothe Abirdeins chargit be tovk of drums to ryss in armes and serve the King, vpone his Majesteis expenssis, wnder conduct of the Lord Oboyne his livetennand. This charge wes givin out at the Kingis directioun, willing him, quhair euer he went, to raiss soldiouris vpone his expenssis, and gave ordour to Admirall Hammiltoun to give him moneyis for that effect. Bot nather man nor money cam as the Lord Oboyne expectit, to his gryte greif, schame, and disgrace, as ye sall schortlie heir. Yit the Lord Oboyne provit wyss in this point, he held still his colzear and pynnage lying in the road, howsoeuer the mater went, whill ye may sie, folio 141, and nichtlie gois aboord whill he landis altogidder; at last saillis to Bervick, folio 141.

Charges to serve the King.
The Kingis directioun.
No man nor money cam fra Hammiltoun.
The schip lyis in the road.

The Lord of Oboyne, with his capitanes and crowneris, landis in armes, takis in of new again this nobill brughe of Abirdein, mellis

Oboyne now, with his crouneris and capitans, landis in armes, takis in

Abirdein, mellis with the keyis, set thair quarteris and watchis, to the gritt effectioun of Abirdein thair men and money to daylie fulfill for

with the keyis of the portis, kirkis, tolbuithis, to thair gryte miserie as followit. Thay quarter both Abirdeins, and set thair watches round about the haill toun, still confident of men and moneyis daylie to cum from Admirall Hammiltoun for thair help and support; bot wes elein deceavit.

Mr Mathow Lumsden sit on sheip

He causit also set Mr. Mathow Lumsden on schoir vpone the sueiring of the othe, as wes said, who wes retanit in the schip, as ye haue, folio 132.

Mony barronis cumet to Abirdein

Mony barronis and gentilmen, heiring of the Lord of Oboynes cuming with assureans of men and money from the King, cam in to Abirdein most glaidlie to him; yea, and mony covenanteris provit turne-taillis throw plane feir, and cam most willinglie into him,

He maikis ane haile cumpanie

and maid vp ane tryn company about 2000 men. His outwatchis took into the Mernis prouest Joffray and his sone, both grite covenanteris, who both for plane feir had fled the toun and hid thame selffis. Thay took also James Burnet of Cragmyll, Robert Keith, wreittar, seruitour to the Erll Marschall, and Alex^r Erskyne, brother to the laird of Pittodrie, gryte covenanteris, who had fled thair awne houssis, and lay lurking in the Mernis. Robert Keith wes send aboord to the schip still lying in the road. The rest gat libertie vpone sueiring and subscriving of the othe and band of allegeans, as ye haue set doun befoir, folio 133; bot Robert Keith stayit still in the Kingis colzear schip, as he who wes thocht to be

Robert Keith to send aboord

one of the Erll Marschallis cheif counsalloris in all thir troubles, (being dwelling hard beyd Dunnotter, in Cowie,) sie more of him, folio 144. He wes send to Berwick, and put to libertie, ibidem.

He wes send to Berwick

Sonday the 9th of Junij, Doctor Scrogie cam and preichit at Old Aberdein, sie more of him, folio 199.

Doctor Scrogie preichis

Mononday the 10th of Junij, the Lord Oboyne convenis his army, being about 2000 horss and foot, and daylie increassing, and marchis from Aberdein towardis Kintor, quhair thay causit the people sueir and subscryve the othe and band of allegians. Thay plunderit meit and drunk, and maid good fyres: and quhair thay wantit peites, lowk doun beddis and burdes in honest menis houssis to be fyre, and tirl thair houssis with corue and stray that day and nicht, but doing ony mure wrang.

Oboyne cumeris the toun

Chois number

Thay marche to Kintor

The oth and band of allegiance subscriuit

Thay remit to thame selffis

Vpone the morow thay ryde out to Halforrest, the Erll Marschallis

Halforrest randeuow

hous, which wes straitlie keipit; bot thay at the first randerit the samen to the Lord Oboyne, delyuerit the keyis. The soldiouris enteris, plunderis mvskattis, gvnis, and vther armes within the samen; brakis wp the girnellis to sustein thair army, yit wold not plunder nor tak any of the country peoples goodis and geir, whiche wes put in this castell for preservatioun and keiping in thir troublesome tymes, bot ilk man cam and receavit bak his awin without harme or preiudice, quhilk wes noblie done.

Arms and victuall plunderit.

No more wrong done

The laird of Cragiwaris landis of Fintray, a great covenanter, wes plunderit be the laird of Haddoche.

And vpone the 12th of Junij thay ryde to the Lord Fraseris houss of Muchallis, bot he wes fled fra hame. The soldiouris mellis with and plunderis his horss, oxin, and ky, and all vther goodis that thay culd get. Thay threw doun haill stakis of corne amongis thair horss feit to eat and distroy. Those who war within the place schot out sum mvscatis, bot did no skaith, quhairvpone thay resoluit to lay ane seige about the houss, bot heiring thair wes forces rysing in the south thay left that purpoiss, and returnes bak agane to Abirdein; quhair he resolues to go to the Mernis, and causs proclame the Kingis proclamatioun, and his awin liuetennandrie, at the marcat cross of Stanehevin, and to causs all maner of man to sueir and subscrive the othe, as ye haue, folio 133. He raisit out of Old Abirdein 20 soldiouris to go with him, who neuer wes burdenit with the like bussines befoir. He also raisit out of New Abirden 200 soldiouris, and makis wp about tua thousand five hundreth men, horss and foot, hieland and lawland men, in good ordour.

The Lord Fraser is plunderit.

His houss is keipit, and was to be seigit.

Oboyne returns to Abirdein.

His resolutioun.

Vpone Frydday the 14th of Junij, the lord Oboyne beginis to marche from Abirdein touardis Stanehevin, to the effect foirsaid, and to causs the people give obediens, or then to persecute thame to the death with fyre and suord; and that same nicht he campit about Muchallis in the Mernis, and Elsick.

He marchis touardis Stanehevn.

He campis.

The Erll Marschall, heiring of his cuming, sendis shortlie to Montroiss for tua cartowis, and bringis out of Dunnotter sum peices of ordinance; convens about 1200 men, and stellis his peices veray commodiouslie, to cross the Lord of Oboynes cuming the way that he wes vnwyslie counsallit to cum be crowner Gvn, who led him on

The Erll Marshall conveinis men, sendis for cartowis and ordinance.

Thay ar commodiouslie stellit.

Oboyne misled.

the Magrahill, and send word to the Erll Marschall that the army sould cum that way, as ye may heir. This Gvn wes send be the King, with the rest of the English capitanes, to attend the Lord Oboynes seruice, being bot ane young soldiour him self, and to counsall and advyss him in all his warris, as he who wes ane ap-

Crouner Gvn a traittour.

provin expert capitane, bot he proveit traittour in this bussines, by informatioun of the Marques of Hammiltoun or he cam out of England, as cleirlie do appeir.

Now, the Lord Oboyne cuming doun the Magrahill, (whair as thay micht haue gone a more saiff way if Gvn his counsall had not bein follouit) the Erll Marschall at Stanehevin had stentit his car-

Marshall playis vpone Oboyne in thair faces. The hieland men fleis, and foot men also; the retreit soundit.

towis and ordinans just in thair faces, and began most furiouslie to play vpone the army. The hieland men, heiring the noyss of thir cannonis, quhairof thay war not in vse, took the flicht immediatlie. The retreit wes soundit, for thay durst not haserd to go

Tuo poor men hurt.

farrer that way in the veray face of the cannon. Tuo poor men

He returnis to Abirdein.

wes hurt, with litle moir skaith; and bak returnes he, without ony more vassallage, to Abirdein. The hieland men gat away; and in

Marshallis ground plunderit.

thair home going plunderit the Erll Marschallis landis of Strathauchin, and took horss, nolt, and scheip, to the wrak of the countrie people. The haill foot army also fled.

Oboyn heiris deuotioun.

Sonday, 16th Junij, the Lord Oboyne hard deuotioun in Abirdene

His counsall of warr.

befoir and efternone,[a] syne went to his counsall of warris, being about nynescoir brave horssmen, bot few foot men, except James Grant and his company. Doctor Scrogie teichit in Auld Abirdein this Sonday also, sie more, folio .

He sendis out to recollect his army.

Vpone Mononday, 17th Junij, the Lord Oboyne sendis out to recollect his army that wes scattered at Cowie, and directis watches

Pury Ogiluy, and Pury Foddringam takin prisoners.

out to the Mernis to spy the countrie, quhair thay tak the laird of Pury-Ogiluy and laird of Purry-Foddringhame, both strong cove-

[a] 'I returned from Corse to Aberdene vpon Moonday the 10th of Junii, and being (as before) employed by the Magistrats of the toune, I preached in New Aberdene the next Sunday, the 16th of Junie, my Lord of Aboyne being also hearer, for he retired vnexpectedly from Steenhyve the evening before. My text was then also in the epistle to the Philippians, chap. iv., vers 6, 7. Be carefull for nothing: but in evrie thing by prayer and supplication, with thanksgiving, let your requests be made knowen vnto God. And the peace of God, which passeth all vnderstanding, shall keepe your hearts and mynds through Christ Jesus.' (Diary of Dr. John Forbes, fol. 65.)

nanteris, efter sum skirmishing, and bringis thame in to Abirdein as thair prissoneris, whome the Lord Oboyne directit to be wairdit in Mr. Robert Farquhar his hous, during his plesour; bot wes thairefter schortlie put to libertie, as heirefter do appeir. His foot army gatherit, and wes about 4000 men, at Leggitisden, bot cam not in tyme to the Brig of Die.

Thay ar wairdit.

His foot army gatherit, bot cam not in tyme.

Vpone this samen Mononday, the Erll Marschall seing the Lord Oboynes returning bak agane to Abirdein, as ye haue hard, he gatheris his forces, wreittis to the Erll of Montroiss, and the said Mononday cums forduard to Tullohill, quhair he incampis whill mor freindis cam to him, sic as the said Erll of Montross and Erll of Kingorne, who cam indeid.

Marshall and Montroiss gatheris.

They cum to Tullohill.

The Lord of Oboyne, aduertesit of this gathering, he, vpone Tuysday the 18th of Junij, about ten houris, gois to array his soldiouris, and sic as he gat also out of both Abirdeins, and resoluis to stop thair cuming to the toun, by keiping of the Brig of Die. Thay careit out thair four brassen peices, quhilk did litle skaith. Luvetennant crowner Johnstoun manis the brig, fortefeit the port vpone the south end of the same, and causit cloiss wp the samen stronglie with thik faill to hold out the schot of the cartow. He had about ane hundreth brave muskiteiris, quhairof fyftie wes still in seruice be turnes.

Oboyne gois to array.

Resolues to keip the brig of Die—four brasin peices had furth.

Livetennant Johnstoun manis the brig.

His number—his fortificatiouns.

His order.

Vpone the same Tuysday, the Erllis of Montroiss and Kingorn cums fra the south. The Lord Fraser, the maister of Forbes, with diuerss barronis and gentilmen, cumis fra the northe to the Erll Marschall. Thay war estimat altogidder about 2000 foot and 300 horss. The Lord of Oboyne wes of no less number, and moir of braver horssmen, lying about the Brig of Die this Tuysday, but few fut men. Quhich day the Erll Marschall and the rest gois to array, and marchis forduard fra Tullohill to the brig. Thay began to schoot thair cartow at the same, quhilk wes veray feirfull, being ane quarter cannon haueing hir bullet of 20 pund wecht; bot couragious Johnstoun manfullie defendit the same with brave muskiteris that cam out of both Abirdeins, who gave fyre so abundantlie vpone thair enemeis muskiteris, that thay war of thame praisit and admired for thair brave seruice. Thus, this haill day, thay on the ane syde persewing the brig with cannon and mvscat, and on the

Mony cumis to Marschall.

Thair number.

Oboyns horssmen, bot few foot men.

Marschall marchis to the brig.

Thair cartow playis.

The brig is weill defendit be Abirdeinis men.

vther syde thay ar defending with muscat, and thair four brassin peices, (whiche did littill seruice) yit no skaith on our syde, except ane tounes man callit Johne Forbes wes pitifullie slayne, and William Gordoun of Gordouns Mills rakleslie schot in the foot, both antecovenanteris. Thus night cam, both pairteis left af, set thair watches, attending the cuming of the morning.

Night pairtis thame. Johne Forbes is slayne, and Williame Gordoun is hurt.

Vpone Wednisday the 19th of Junij, the tounes folkis, about 50 mvskiteris, foolishlie left the brig, with about the like number to keip the samen, and went convoying the corpis of the foirsaid Johne Forbes to the toun to be bureit; quhilk wes veray vnwyslie done, and to the tynsall of the brig. In the meintyme ane new assault wes hotlie givin. Couragious Johnstoun placeit his few soldiouris (as he did first) in the roundis of the brig on both sydis so commodiouslie, as thay defendit thame selffis veray stoutly and manfullie with little loiss.

Johne Forbes corpis convoyit to the buriall, and the brig left naiked.

Ane new assault.

Couragious Johnstoun defendis stoutlie.

The confedderat lordis, seing thay culd cum no speid, devysis a prettie slicht to draw the horssmen fra the brig, being about the number of nyne scoir brave gentilmen, (albeit thay had no footmen, except James Grant and his company, and the tounes men of both Abirdeins, becaus thay had scatterit at Cowie, as ye haue hard, and wes quiklie gathering agane, bot cam not in tyme to the defenss of the brig, as ye sall heir) better horsit, and more in number nor thay war of good horss. Thairfoir thay stringit wp thair horss company on the vther syde of the water of Die, making schow to enter the water and cum throw the samen, to persew the Lord of Oboyne on this syd the water, quhilk wes far fra thair mynd, and over haistellie beleivit be Oboyne. Quhairvpone he rydis wp the water syde to meit thir horsmen at thair cuming throw the water, and leaves the brig foolishlie with brave Johnstoun and about 50 mvskiteiris onlie, who wonderfullie stood out and defendit the same, albeit cruellie chargit both with cartow and muskat schot in gryte aboundans, quhilk wes moir feirfullie renewit, whill as the Lord Oboyne wes marcheing wp the water syde. At last brave Johnstoun is vnhappellie hurt in the thie or leg, be the buffet of ane stonn throwin out of the brig by violens of ane schot, so that he culd do no more seruice. He haistellie callis for ane horss, and sayes to his

A brave slicht devysit aganis Oboyne, whairby he loissis the brig.

Thay seim to cum throw the water.

Oboyn rydis to meit thame, and leaves the brig naikit.

Ane feirfull assault.

Johnstoun hurt in the leg or thie.

soldiouris, "Gallantis do for your selffis, and haist yow to the toune;" quhairvpone thay all with him self took the flight. Then follouit in certane capitanes, quiklie takis in the brig peceablie, and kest out thair cullouris. The Lord Oboyne, seing thair horssmen stay vpon the vther syd of the water, and not cuming throw the water as thay seimit to intend, and with all seing thair cullouris vpone the brig, takis the flight schamefullie, but straik of suord or ony vther kynd of vassallage; for he and his horssmen lay wnder bankis and brayis saiffing thame selffis fra the cartow, and beheld the Abirdeins men defend the brig, as ye haue hard, quhilk wes pitifullie loist by the ingoing of the soldiouris to Johne Forbes buriall, as ye haue hard, and by the Lord Oboyne his leaving of the samen, and chieflie by the vnhappie hurt whiche brave Johnstoun receavit. It is said our Abirdeins men wes praisit, evin of thair veray enemeis, for thair seruice and reddie fyre. Thair wes slayne of tounes men the foirsaid Johne Forbes, Patrik Gray, Dauid Johnstoun, Thomas Dauidsone, and sum vtheris hurt and woundit. Amongst the rest, [John] Seytoun of Pitmedden,[a] ane brave gentilmen, wes suddantlie schot ryding wp the water with the Lord Oboyne; and on the vther syde, ane brave gentilmân callit [Andrew] Ramsay, brother to the laird of Balmaine, and sum vtheris hurt and woundit.[b] The brig is takin in vnfortunatlie vpone the 19th of Junij, about four efternone, quhair as support wes cuming that same nicht of Aboynis freindis, bot heiring of the wynning of the brig, cam no forder nor Leggitisden, syne disperst and scatterit. Aboyne takis the flight, takis the lairdis of Purie Ogiluy and Purie Foddringhame out of Abirdein, his awin prissoneris, whome he had takin abefoir, and sendis thame bak to thir lordis saif and sound, frielie bot ransoum. Few followit the chace, so that Aboyne his freindis and folloueris gat no skaith.

Thay flie fra the brig.

It is takin in. Culloris displayit.

Oboyne is deceavit.

He takis the flicht also.

He had no honor.

The causis of loissing this brig.

Abirdeinis men brave fyre men.

Sindrie ar slayne and hurt on both sydis.

Aboyns freindis was cuming, bot turnit bak.

Aboyne fleis, sendis Pury Ogiluy, and Pury Foddringhame frie bak agane.

Aboyne is not far followit.

The confedderat lordis mellis with the Marques four brassin peices, and with thair owne tua cartowis, cumis to Abirdein with

The Lordis taks the Marquess brasin peices.

[a] The death of this cavalier is commemorated in the ballad, 'Bonny John Seton.' (P. Buchan's Ancient Ballads and Songs of the north of Scotland, vol. ii., pp. 136–138. Edin., 1828, 8vo.)

[b] See Gordon's Scots Affairs, vol. ii., p. 279.

Comes to Aberdein in triumphant maner.

sound of trumpetis, displayit collouris, and tooking of drumis. As the army mervlin the haill covenanteris wes blyth, and the

The covenanteris ar blyth.

The royallistis marvellous sorrowfull, when with their wyfis and childrein, from the toune with wofull lamentin

royallistis alss sorrowfull as ony micht, who for plane feir fled the toun, with their wyfis and childrein in their armes and careit on their bakis, weiping and murning most pitifullie, straying heir and thair, not knowing quhair to ga. Thus war thay sore distreist for the love thay had to the King, and now for following Aboyne.

The nobles takis in the toun, mellis with the keyis of the portis, kirkis, and tolbuith, quarteris thair soldiouris and settis watches,

The tounes people ar chargit to returne hame.

and send for the tounes people that had fled, chargeing thame be tuyk of drum to returne to thair hounsis, promeising thay suld get no wrong. Quhairvpone sum returnit, vtheris wold not, bot hid thame selfis heir and thair in the countrie.

Sum footmen quarteris in Old Aberdein.

Thair wes sum foot men of this army who had frie quarteris in Old Abirdein at this tyme: and all the covenanteris now proudlie

The covenanteris cropis the calsey.

cropis the calsey, glaid of the incuming of the army.

The army is quarterit.

Efter quartering in both Abirdeins, the soldiouris immediatlie maid serche for sic mvskiteires as servit aganes thame at the Brig

48 toune men ar bound and wardit, and put vnder keiping.

of Dee, and fand about 48 cavilleires, brave fyre men, whome thay causit bynd be the gardeis with towis in disgracefull maner, and brocht to the tolbuith, quhair that nicht thay gat nather meit, drink, fyre, nor candill, nor bed; and watchit the tolbuith for that effect.

Petmedden and Ramsay buryit with lamentatioun

Vpone Thuirsday, 20th Junij, the nobles went and took wp the corpis of Petmedden and Ramsay both; and ilk man wes bureit in the kirk of Aberdein, be thair owne freindis, with lamentatioun.

William Erskyne vnluckilie schot deid

Thair wes ane deid volie schot be the soldiouris for thair owne man Ramsay at the old kirk dur, quhair Williame Erskyne, brother to the laird of Pettodrie, wes suddantlie schot deid throw the heid, standing amongst the rest; quhairof neuer word nor tryell wes gottin, quhilk wes thocht mervallous, bot indeid he wes a wilfull malitious covenanter.

Ane counsall of warr.

Thairefter, the nobles gois to ane counsall of warr, (heiring certanlie of a treattie past betuixt the King and his subiectis at Ber-

They knew of ane treattie past at Berrick.

vik quhairof thay had knoulege befoir the intaking of the brig, as

Fynis Abirdein in 6000 merkis.

wes said), fynis Abirdein in 6000 merkis, quhilk wes presentlie payit, lovsis the tounes menis gardeis, who wer knyt tuo and tuo

togidder, and setis thame to libertie vpone the same Thuirsday. The toun wes saiffit on plunderit by payment of this soume.[a]

Lovsis the touns mens gardeis, setis thame at libertie.

Vpone the morne, 21st Junij, ordour wes givin for transporting south the tua cartowis and Marques of Huntleis four brassin feild peices; deliuerit the tounes keyis to the maiestratis, and marchis the same day south agane; quhairvpone the rest of the honest men and wemen, who had fled, returnis glaidlie to thair awin houssis in Abirdein.

The cartowis and brassin peices had south.

The touns keyis restoirit.

Thay marche, and the tounis people gladly returnis.

The Lord Aboyne, seing this army gone, and no appeirans of help, as he daylie expectit, fra Admirall Hammiltoun, vpone the 26th of Junij boitis at the Sand Ness, and gois aboord in his awin schip (who all this tyme wes lying in the road attending his seruice) with the rest of the English captanes, and traittour Gun also, and to Bervick gois he; for it is most certane this crouner Gun deceavit Aboyne, (whose counsall the King had commandit him to follow) by persuasioun of the Admirall, as wes said, a gryte favorit of the covenant, sie moir of Gun befoir, folio 136.

Aboyne getis no help of the Admirall.

He schipis and sum vtheris, and to the King gois he.

Crouner Gun a traittour.

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Ye sie befoir, folio 130, of the Kingis cuming and his army to Bervick. The Scottis army at the same time cam to Dunss, four myllis fra the Kingis army, quhair thay lay incampit, estimat in horss, foot, bag and baggage, to about 20,000 men, with brave capitens, officiaris, and commanderis, quhairof Leslie wes generall, furnishit with store of ammunitioun, pulder, ball, and good armes.

The King is with his army at Bervick.

The Scottis army at Dunss.

Thair number, capitans and commanderis.

Now, bothe armyis being incampit within 4 myllis to vtheris, the

[a] 21st Junii, deburst to the Erle Marsheall and Montrose soiours, at command of the baillies, with adwyse of the haill toun, for saveing the town from plundering at the intacking of the brig of Dee, . . . £4000 0 0

Other entries in the treasurer's accounts for this year show the impartiality with which exactions were levied from the town by all parties:—

Item to Alex^r Chalmer, for furneshing materialles to my Lord Oboynes cannones, upon the prouests warrand, . £8 2 0

Item to Alex^r Rutherfurd, deburst be him on my Lord Oboynes soiouris, 10 15 0

Item deburst upon a warrand of the magistrates, for quartering the Gordones, ... 22 13 0

Item upon a warrand to Ardlogie to pay his horss charges, . . 20 0

Item deburst to James Cruikshank, quhilk he deburst to my Lord Oboynes company, wpon baillie Leslie's warrands, viz., to Balveny ten punds, to James Hamiltoun, cannonier, four punds ane sh., to Cocklarachie sewin punds tua sh., Willeam Moir, in Caskieben, 26 sh., to Innermarkie sewin punds sextein sh., to capitan Car and his livetenent sex punds, to capiten Elleis sex pund, to Thomas Gordon sex punds, is in all, . 54 6 6

(Treasurer's Accounts, 1638-39.)

Severall Lordis desyrit his Majestie ane quyett sum of the English [illegible] quhilk his Majestie graciouslie grantit. Then the Scotis wes desyrit to put in thair demandis in writting, quhairof the wes this, his Majestie wold ratifie the actis of the last assemble haldin at Glasgow, in the nixt ensewing parliament. The King craved to understand by wreit, the groundis and reasonis of thair desyres. The Lord Lowdon (who wes ane of our Scottish commissioners commissioner, with the Erll of Rothass, [illegible] for the bodies Schir James Douglass, schiref of Tevedaill, commissioner for the barrons and gentrie, John Smyth, ballie of Glasgow, commissioner for the burrowis, and Mr. Alex[r] Henderson [illegible] of Leuchars, commissioner for the clergie), said thair desyres wes onlie to injoy thair religioun and liberteis according to the ecclesiastick and civill lawis of this kingdome, and in cleiring particulars that wold not stand vpone any that war not soch; quhilk his Majestie desyred him to sett doun in wreitting, whiche he did in these subsequent wordis:—

Memorandum. That our desyres is onlie the injoying of our religioun and liberteis &c. as we ar in wreit according to the ecclesiastick and civill lawis of his Majesteis kingdome; to quhich, by sufficient grounds, that the particulars whiche we humblie crave ar suche, and shall not crave to injoy any point whiche is not so warranted; and that we humblie offer all civill and ecclesiastick resolutiones to your Majestie, whiche can be required of ony of your subjects.

Signed. Lowdoun.

Quhairvnto his Majestie most willinglie condiscendit, as most reasonable groundis founded vpone the lawis of the kingdome, bot vnder this fair generall lurked muche poysoun and gryte blood sched, wo, and wrack throwout the Kingis haill dominionis, throw interpretatioun or misinterpretatioun of our lawis, to his Majesteis heiche displesour, he not seing the combinatouris subtill intentioun both in churche and pollicie, yea and aganist his royall prerogatiue, as heirefter is schortlie nottit in this discourss.

Aluayis, the foirsaid memorandum being the ground of the agriement, it wes brocht to ane conclusioun vpone the 17th of Junij. And of that same dait the King setis out his declaratioun conforme to these groundis, whiche wes weill accepted by those whiche cam in

name of the covenant, with humill thankis to the King for doing of the samen, and giving ane ansuer to thair petitioun within the said declaratioun, whiche wes fullie agreit vpone, togidder with sindrie articles by all pairteis. The pacificatioun thus concludit, the articles on both sydis war to be performit accordinglie. Those on the Kingis pairt war in the declaratioun following :—

It is weill acceptit, with thankis.

The pacificatioun is concludit.

The Kingis declaratioun beiring his pairt.

We, haueing considderit the paperis and humill petitionis presented to ws by these of our subiectis of Scotland, who were admitted to attend our plesour in the camp, and efter a full heiring by our self of all that thay could say or alledge thairvpone, haueing comvnicated the same to our counsall of bothe kingdomis there present, vpone mature deliberation, with ther vnanimous advyss, we haue thocht fit to give this just and gratious ansuer: That thogh we cannot condiscend to ratifie and approve the actis of the pretendit generall assemblie at Glasgow, for mony grave and wechtie considerationis, whiche haue hapnit both befoir and since, muche importing the honour and securitie of that trew monarchicall government lineally discendit vpone ws from so mony of our ancestoris; yit suche is our gratious plesour, that, notwithstanding the many disorderis committed of lait, wee ar pleasit, not onlie to confirm and mak good whatsoeuer our commissioner hath grantit and promisit in our name, bot also we ar farther gratiouslie pleissit to declair and assure, that according to the petitioneris humill desires, all materis ecclesiasticall salbe determinat by the assembleis of the kirk, and materis ciuill by the parliament, and vther inferior judicatoreis establishit by law; whiche assemblie accordinglie salbe keipit once a yeir, or as salbe agreit vpone at the generall assembly.

His ansuer, refuising to ratefie the actis of the generall assembly.

He bydis be what his commissioner hath done.

Materis ecclesiasticall to be determinat by assembleis; all ciuill materis by parliament and vther judgis.

And for satling the generall distractionis of that our kingdome, oure will and plesour is, that a frie generall assemblie be keipit at Edinbrugh, the sixt day of August nixt ensewing, quhair we intend (God willing,) to be personallie present, and for the legall indictioun quhairof, we haue givin ordour and command to our counsall; and thairefter a parliament to be haldin at Edinbrugh, the 20th day of August nixt ensewing, for ratefeing of what salbe concludit in the said assembly, and satling suche vther thingis as may conduce to the peace and good of our natiue kingdome, and therein ane act of obliuioun to be passed.

Ane generall assemblie to hold ilk yeir, and now at Edinbrugh 6th August.

A parliament 20th of August.

And where as we ar farther desyrit, that our schipis and forces by land be recalled, and all personis goodis and schipis restorit, and thay maid saif fra invasioun, wee ar gratiouslie pleissit to declair, that vpone thair disarming and disbanding of thair forces, dissolving and dischargeing all there pretendit tables and conventicles, and restoiring wnto ws all our castles, forts, and ammvnitioun of all sortis, as likwaies our royall honoris, and to euerie one of our good subiectis thair liberteis, landis, houssis, goodis, and meinis what soeuer, takin and detaned from them since the lait pretendit generall assemblie, wee will presentlie thairefter recall our fleit, and reteir our land forces, and caus restitutioun to be maid to all personis of their schipis and goodis detainit and arrestit since the afoirsaid tyme; whereby it may

His Majesties sea forces and land army to be recallit; schipis and goodis restoirit conditionallie. The Scottis first disbanding, quyting thair tables &c.

The Scottis petitioun the King to be hard, and is grantit.

Thair desyris.

Scottish humelie desyrit his Majestie to appoint sum of the English to heir thair humill desyres, whiche his hines gratiouslie grantit. Then our Scottis wes desyrit to put in thair demandis in writting, quhairof one wes, that his Majestie wold ratefie the actis of the lait assemblie holdin at Glasgow, in the nixt ensewing parliament.

The King commandit to put thair myndis in wreit.

The names of our Scottis commissioneris.

The King craveit to wnderstand, by wreit, the groundis and ressonis of thair desyres. The Lord Lovdon (who wes ane of our Scottish combinatouris, commissioner, with the Erll of Rothass, chosin for the nobles, Schir James Douglass, schiref of Tevedaill, commissioner for the barronis and gentrie, John Smyth, ballie of Edinbrugh, commissioner for the burrowis, and Mr. Alex^{r} Hendersoun, minister at Levcharis, commissioner for the clergie), said thair desires wes onlie to inioy thair religioun and liberteis according to the ecclesiasticall and ciuill lawis of this kingdome, and in cleiring particularis thay wold not insist vpone any that war not such; quhilk his Majestie desyred him to sett doun in wreitting, whiche he did in these subsequent wordis:—

Thair desyris, religioun and liberteis, &c., set doun in wreit.

Memorandum. That oure desyres ar onlie the inioying of our religioun and liberteis, according to the ecclesiasticall and ciuill lawis of his Majesteis kingdome; to cleir, by sufficient groundis, that the particularis whiche we humelie crave ar suche, and sall not insist to crave any poynt whiche is not so warranted; and that we humelie offer all ciuill and temporall obedienss to your Majestie, whiche can be required or expected of loyall subiectis.

Signed, LOVDOUN.

The King thocht thir desyris ressonable.

Muche poysoun lurkit heir.

Gryt trublis followit.

Quhairvnto his Majestie most willinglie condiscendit, as most ressonable groundis, foundit vpone the lawis of the kingdome, bot wnder this fair generall lurked muche poysoun and gryte blood sched, wo, and wrack throwout the Kingis haill dominionis, throw interpretatioun or misinterpretatioun of our lawis, to his Majesteis heiche displesour, he not seing the combinatouris subtill intentioun both in churche and pollicie, yea, and aganist his royall prerogatiue, as heirefter is schortlie nottit in this discourss.

This memorandum is brocht to ane conclusioun.

The King setis out ane declaratioun

Aluayis, the foirsaid memorandum being the ground of the agriement, it wes brocht to ane conclusioun vpone the 17th of Junij. And of that same dait the King setis out his declaratioun conforme to these groundis, whiche wes weill accepted by those whiche cam in

The Kingis gratiouss intentioun.

appeir that our intentioun of taking wp of armes wes no way for invading of our natiue kingdome, or to innovat religion or lawis, but meirlie for the manteining and vindicating of oure royall auchtoritie.

He myndis no alteratioun of religioun nor lawis.

And since that heirby it dothe cleirlie appeir that we nather haue nor do intend any alteratioun in religioun or lawis, but that bothe salbe mantayned by ws in thair full integritie, wee expect the performans of that humill and dutifull obediens, whiche becumeth loyall and deutifull subiectis. And as in thero seuerall petitionis thay haue often professit, and as we haue just ressoun to beleive that our peciabill and weill affected subiectis this wilbe satisfactory, so wé tak God and the world to witness, that what soeuer calamiteis sall insew by our necessitated suppressing of the insolenceis of suche as sall contynew in thair disobedient courses, is not occasioned by ws, but by ther owne procurement.

His solempne protestatioun efter his said declaratioun.

Articles of pacificatioun.

Efter his Majesteis declaratioun thus expressit, follouit the articles of pacificatioun tending thus, whiche war agreit vpone:—

1. First the forces of Scotland to be disbandit and dissoluit, within 48 houris after publicatioun of his Majesteis declaratioun, being agreit vpone.
2. His Hines castellis, fortis, ammvnitioun of all sortis, and royall honoris, to be deliuerit efter the said publicatioun, so sone as he sould send to receave thame.
3. His Majesteis schipis to depairt presentlie efter delyverie of the castles, &c, with the first fair wynd; and in the mein tyme no interruption of trade or fishing.
4. His Majestie wes gratiouslie pleissit to caus be restoirit all persons goodis and schipis detayned and arrestit since the first of November then last past.
5. No meitinges, treattinges, consultationis, or convocatioun of any of his Majesteis leiges, bot suche as ar warranted by act of parliament,
6. All fortificationis to desist, and no farder wirking thairin, and thay to be remitted to his Majesteis plesour.
7. To restoir to everie one of his Hines good subiectis thair liberteis, landis, houssis, goodis, and meinis whatsoeuer, takin or detayned from thame by quhatsoeuer meinis since the afoirsaid tyme.

Vpone Tuysday 18th Junij, the foirsaid declaratioun and articles of pacificatioun were signed at the Kingis pauilioun by these for Scotland; who also signed another paper of submissioun to his Majestie, as follouis:—

In the camp, 18th Junij, 1639.

In obedienss to his Majesteis royall commandis, we sall, vpone Thuirsday nixt the

20th of Junij, dismiss our forces, and immediatlie thairefter deliuer his Majesteis castellis, &c.; and sall euer in all thingis cary our selfis like humill, loyall, and obedient subiectis. *Sic subscribitur,*

Signed, Rothass Douglass
Dunfermling Alex. Henrisone
Lovdon A. Johnstoun.

The Scottis comissioneris did likuaies condiscend, that his Majesteis declaratioun sould be red and publishit in thair army; whiche, by Lyoun, king of armes of Scotland, vpone the 20th of Junij, wes done in presens of sum comissioneris quhom the King sent to sie publishit. Aganes the quhilk (contrair his Majesteis expectatioun) protestatiouns wes maid, as ye sall heir, folio 145.

The Kingis declaratioun red in the army.

Protestatiouns maid aganist the samen.

Now, materis in the way of satling, his Majestie desyrit, befoir removeing of the army fra Dunss, that sum of the Scottis nobles and vtheris, men off note, sould cum and confer with him at his camp, quhilk wes plainlie refusit by the covenanters; quhairat his Majestie took heighe offens. Aluayes, thay alledgit sum ressones, quhilk wes send up in wreit, as heirefter do appeir, folio 148.

The King desyris sum noblis and vtheris to cum to him.

It is refusit, quhairat he is heichlie offendit, as he had causs.

In the meintyme the Marques of Huntlie, and his sone the Lord Gordoun, and sum vtheris who war wairdit in the castell of Edinbrugh, ar put to libertie. The Marques places his virgin dochteris in the place of Seytoun, with his cusing the Erll of Wentoun, syne rydis with his sone to the Kingis camp at Bervik, sie moir, folio 153.

The Marquess of Huntly and his sone ar set to libertie.

He places his dochteris.

Rydis to the King.

Robert Keith, writar, who wes takin and had to Bervick, as ye haue, folio 135, is set to libertie and send home; quhairvpone the Erll Marshell releivis Johne Gordoun, Johne Spens Rothesay herauld, and Allaster Sandysone, messinger, most vniustlie imprissonit and cruellie handlit, as ye haue, folio 131.

Robert Keith set frie.

Johne Gordoun, Johne Spenss, and Allaster Sandysoun set frie.

Now thair is gryte preparatioun for chuseing of ministeris and reulling elderis, commissioneris to the generall assemblie, to be holdin at Edinbrugh the 6th of August nixt; bot none except knowne covenanteris wes chosin throw all the presbitreis of Scotland. Amongst whome, our presbitrie of Abirdein, vpone the 25th of July, electit Mr. Dauid Lyndsay, persone of Balhelvie, and Mr. Androw Abircumy, minister at Fyntray, wes chosin thair commis-

Ministeris and reulling elders to be chosin commissioneris.

Commissioneris for the presbitry of Abirdein.

sioneris, with the Erll of Kingorne, now being in this countrie, to be a reulling elder, becauss he had the landis of Balhelvy pertening to him within this presbitrie, yit had nather duelling place nor houshold remaining within this diocie, yit he is thus chosin, being a gryte covenanter, a reulling elder for the presbitrie of Abirdein.

Generall Ruthuen capiten of the castell of Edinbrugh.

The royall ornamentis deliuerit.

The King lyis still at Bervick, makis Generall Ruthven capiten of the castell of Edinbrugh, whiche wes deliuerit to him with the royall ornamentis, viz., croun, suord, and scepter, to be keipit within the said castell.

The couenanteris disbandis thair army.

The King disbandis his army and navy.

The covenanteris disbandis thair army at Dunss, yit not fullie, as ye sall heir amongst the Kingis regraitis. Aluaies, the King disbandit his army treulie, both be sea and land. And the Admirall Hammiltoun, who had gottin directioun to land forces to defend Abirdein and the north, as ye haue befoir, folio , yit he obeyis not directioun, bot lyis still in Forthe, haueing secreit confeirens with the nobles of the covenant nicht and day, quhairof the King had nather knouledge nor suspitioun; yit he reveillit the Kingis proiectis and secreitis, haueing too muche his eir, as wes thocht, at all occasionis to the covenanteris, of whome also most pollitquelie he maid his awin vse, and held both the King and thame in hand for his awin endis, not yit knowne; bot sure culd neuer haue power to act any thing contrair the covenanteris, becauss he reveillit all, quhairby thay war armit aganist all dangeris; whiche bred much troubill, sorrow, and dulefull calameteis throw out the Kingis haill dominionis, whiche, if he had bein trew to his maister, as is said, micht haue bein wyslie and esellie supprest in the begining; bot heir I end. Admirall Hammiltoun haueing gottin 13000 li. sterling fra the King for this fruitles expeditioun, he spendit and spairit as he pleissit, cums to the King, lying at Bervick, makis wp a compt of his expenssis to his thesaurer, and gives in 2000 lib. quhilk he alledgit wes vnspendit, bot keipit the rest to him self. The King approvit his doinges, and thocht his doinges good seruice, quhairin he wes michtellie deceavit. Sie moir of Hammiltoun, folio 151, who gat his owne revaird.

Admirall Hammiltoun his careage.
His traitterous procedure aganis the King.

His gryt pollicie.

Haldis both in hand.

Reveillis the Kingis secretis.

Armis the covenanteris.

Bred muche sorrow throw his traitterous dealling.

He spendis the Kingis money lydlie.

Cumis to Bervik, makis wp ane feingeit compt.

The King maks him welcum, and aproves his doingis.

The King getis no performeis of the articles following

In the meintyme, the King, lying still at Bervick, perceavis the covenanteris slow to fullfill thair pairt of the articles of pacifica-

tioun, and seis sum vther disorderis on luikit for besydis, quhilk he setis doun in wreit as follouis, viz. :— Muche to be considderit.

1. First he alledgit that the covenanteris did mak ane protestatioun aganist the publicatioun of his declaratioun befoir thair army at Dunss.
2. That the forces of Scotland raisit aganes him self wes not disbandit within 48 houris, bot for sum tyme keipit in bodie sum forces, and held in pay thair officiares.
3. That full restitutioun is not maid of his Majesteis fortis, castles, and amvnitiounis; and the fortificationis of Leith standis inteirlie, albeit the King commandit to cast thame doun.
4. That thay keipit vnlauchfull meitingis at tables, conventicles, and consultationis, efter the 20th of Julij, quhilk day the monethis tyme, grantit be the King to meit and consult vpone releif of thair mvtuall burdinges onlie, and no vther state materis, wes expyrit; quhairin thay dayly vex and truble sic as do not adheir to thair rebellious covenant and pretendit assemblie at Glasgow.
5. Whair as all fortificatiouns biggit, but his warrand, war referit to his plesour, whidder to stand or be demolishit, and that he commandit thame to be cast doun, yit no obedienss givin thairto.
6. None of his Majesteis good subiectis hes gottin thair goodis, nor dar haserd home to thair awin houssis at full libertie, be ressone of the covenanteris fury, animated thairto by the said protestatioun and seditious sermonis; and that they ar thretned with the loss of thair lives, incace thay sall repair to thair awin dwellingis.
7. Sevintlie, quhair as it is declairit, that his Majestie did not approve the lait pretendit assemblie at Glasgow, yit, contrary to his Hines plesour, thay press the subiectis to subscrive the approbatioun thairof, and to sueir the samen.
8. Whair as it pleissit the King to grant ane frie assemblie, expecting a choiss of sic comissioneris as micht stand with his Hines auchtoretie, thay pervertit his subiectis by anticipating thair votes, in making them sueir to and subscrive the actis of the pretendit assemblie holden at Glasgow, and making those of suche commissioneris (and no vtheris) as adheirit thairvnto, and by othe war bound to mantane the samen. And forder deterrit otheris whome his Majestie callit to the nixt assemblie be his lauchfull warrand, thretning thame with the loiss of thair lives if thay repairit thither.
9. Thay brand his good subiectis that adheiris to his Majesteis seruice with the vile aspersioun of traittouris to God and thair countrie, threatning to proceid aganist them with censuris accordinglie, as thogh thair serving the King war tressoun; quhair as his subiectis ar bound to ryss and assist him, wnder the pane of tressoun.

Lastlie, thair protesting that all memberis of the college of justice and his Hines leiges war not to attend the sessioun, and that all actis and decreitis salbe null, taking his royall pouer out of his hand, who micht onlie command his subiectis to attend the sessioun or discharge the samen.

The King sendis thir articles with the Lordis Lyndsay and Lovdoun to the covenanters.

It pleisit his Majestie to send thir miscontentmentis in paper with the Lord Lyndsay and Lord Lovdon to Edinbrugh, and to report the combinatouris ansueris to him in wreit, with thair ressonis why the nobles and vtheris whiche he send for in particular cam not to his Majestie, according to thair bound deutie. Thir Scottis commissioneris takis thair leive fra the King at Bervick, and cam to Edinbrugh, and deliuerit to the Table the foirnamed disorderis, quhairvnto thay maid ane ansuer schortlie in wreit, with ressonis why the nobilmen sould not haue cum to him at Bervick as he desyrit, and send the samen paperis with the saidis Lord Lyndsay and Lord Lovdoun to his Majestie. Of the quhilkis ansueris and ressonis the tennour followis, besydis certane greivances whiche thay send likuiss to his Majestie with the saidis ansueris, so as the King alledgit, and that iustlie, that the pacificatioun wes not keipit on thair syde, so vniustlie it wes alledgit by them the King keipit not conditionis contenit in the said treattie, as in thair greivances proportis, quhilkis with thair ansueris and ressones followis:—

Thay cum to Edinbrugh, getis thair ansuer with sum ressonis, and bringis to the King with sum greivances, alledging the King keipit not conditionis, most falsile.

Ansueris and ressonis.

1. And first, it is denyit that ony protestatioun wes maid aganist his Majesteis gratious declaratioun of the pacificatioun; bot on the contrary, both at Dunss and Edinbrugh, publict thankis giving, with ane declaratioun that we adheir to the generall assembly.
2. Secoundlie, it is ansuerit the samen is obeyit by the Generall his surrander, whiche he had preast mony tyms befoir.
3. Thridlie, the cannonis whiche war at Leith ar deliuerit to the castell of Edinbrugh, togidder with the mvscattis; and as for the ball, thay ar lying still on maid vse of.
4. Fourtlie, it is denyit that ony vnlauchfull meitingis ar keipit, bot suche as ar warranted by act of parliament; and althogh we must adhere to our moest necessar and lauchfull covenant, yit, to our knouledge, none hes bein vrgit to subscrive it.
5. Fyftlie, the fortificationis salbe demolishit with all convenient diligenss.
6. To the Sext it is denyit.
7. Sevintlie, we know none of his Majesteis good subiectis who ar now detayned

or thretned, nor do we allow that ony sould be troublit, and if any feir them selfis, thair is ane ordiner way of justice whiche they may vse.

8. To the Eight, it is denyit, becauss to our knoulege no suche exceptioun hes bein maid at ony tyme of the electionis.

9. To the Nynt, it is denyit.

Lastlie, thair wes nothing protestit aganis the sessioun to infer any clame that any subiect, or all the subiectis, hes pouer to hender or discharge thame, bot onlie inrespect of the tyme, for nather the lordis culd attend, nather had pairteis thair wreitis in reddiness to persew or defend. Thay behovit to protest for remeid of law, if any thing sould be done in thair preiudice.

Besides thir ansueris (whiche the judicious reidar may esellie perceave whidder ressonable, to eleid his Majesteis just greivances or not) thay eik thus :—

A ridiculous minassing peice.

As we ar most vnwilling to fall vpone any question whiche may seim to import the leist contradictioun with his Majestie, so, if it had not bein the trust whiche we gave to the relatioun of our comissioneris, (who did impairt to ws his Majesteis gratious expressionis relaitit daylie to ws at Dunss, and put in not by many of oure number, whiche war ane gryte deall moir satisfactorie to ws then his writtin declaratioun), the samen wold not haue bein acceptable, (whiche did call the assembly pretendit, oure humill and loyall proceidingis disorderis, oure courses disagrieable to monarchicall government) nor the castell of Edinbrugh randerit, (whiche wes onlie takin for the saiftie of the toune) simplie without assureans by wreit of thair indemnitie, except for the trust we repose in thair religioun, and confidens in his Majesteis royall word, whiche we beleive thay did not forget, bot wold bring these who adheir to the treatty to ane right rememberans thairof; whiche paper wes onlie writtin for that causs, lest either his Majestie or his subiectis sould averr that thay spak ony thing without warrand.

Efter this, cam to his Majestie, with thir same ansueris, ressonis for staying of the noble men, as follouis in thir wordis :—

Sum few of the mony ressonis, for staying of the noblemen and vtheris (named by his Majestie) from repairing at this tyme to the court of Bervick.

Brave ressonis.

His Majestie hath not bein in vse, at ony tyme of the grytest securitie, to call ony of his subiectis out of the kingdome efter this sort, as at this tyme whiche is so full of feir. To call so many of suche nott, without ony command or warrand sent to them selffis, seimis strange; and may we not say, it wes never his Majesteis royall fatheris vse and wont to do so wnto ws, since his going into England, to this day. Althogh his Majesteis declaratioun at Dunss (contrair to our mynd and merit) did

call the lait assemblie ane pretendit assemblie, our humill and lauchfull proceidingis disorderis, oure courss disagrieable to monarchicall government, and did threatten ws with the terrouris of his wrath; yit our desire is to leive ane quyet and peciabill lyf wnder his Majesteis government, and our zeall to his Majesteis honor, (althogh with sum aspersionis put vpone ws befoir the world) moveth ws to receave thame, becauss of diuerss gratious expressionis, related from his Majesteis mouth by our commissioneris, whiche we did heir glaidlie, and did not diligentlie for our contentment, and that we micht be able to satisfie vtheris, and without whiche the articles of pacificatioun had never servit for the begining of peace; yit we now wnderstand that all or the grytest pairt of these expressionis verball ar denyit, quhilk makis our hope to vaver, giveth ws gryte causs of jelousie, and moveth ws to call in questioun all the reportis maid to ws from his Majestie. His Majestie knoweth that what is so instantlie pressed at this tyme wes none of the articles agreit on at that tyme; and if (besydis restitution of goodis, randering of the castell, and dissoluing of the army), it had bein then requirit that these 14 sould be send to the camp at Bervick, the conditioun had bene harder then that we could haue yeildit vnto, becaus we cannot judge the myndis, intentionis, and dispositionis of hairtis, bot by that whiche we heir with oure eiris, and dothe apeir in actioun. We desire to be considderit, that all our expressionis of fauoris ar put vpone our aduersareis; thay callit his Majesteis good subiectis, and thair practeisis his Majesties seruice. Vpone the contrair, haill volums ar spred, (and euer since the treattie of peace) put in all handis aganist ws, not onlie stuffit with suche reproachis aganist almost the haill kingdome, (and particularlie aganist the persones now send for, that it war ane dishonor for the King to haue suche ane kingdome, and a schame to be set over suche subiectis, as we ar discryvit to be) bot also conteining vowis and thretninges of examplarie pvnishment vpone suche as we ar reported to be; that the troubles in the north pairt of the kingdome ar not yit ceassit; that the garisouns ar keipit in Bervick; that the castell of Edinbrugh is fortefeit and furneshit above any thing that hath bein hard at ony tyme; that sum bloodie and cruell wordis aganist the Scottis lordis haue bene overhard in Bervick, and whiche we could not haue beleivit, bot that it is testifeid by so many letteris send hither; that our freindis and countrymen not onlie in Ireland, bot evin now in England, ar not onlie stoppit in thair trade, bot cast in prissoun, for thair modest refuseing to tak othes contrair to thair othe and covenant, whiche thay haue suorne in thair owne countrie; a violens not vsit befoir the treattie of peace, and contrair to the lawis of natiouns, (the rule of commoun equitie) of doing that to otheris quhilk we wold thay suld do vnto ws, and to the articles of pacificatioun agreit vpone with his Majestie. These and other the lyke considderit, dothe so wirk vpone, that for the present (except we will do aganist oure owne hairtis, and deny our owne senses), we cannot give way to so many eminent persones to repair to Bervick; whiche we trust his Majestie will neither interpreit to be disobedient nor indiscreit, since we haue bein all cairfull to sie all the conditionis performit to the vttermost on our pairt; and thair is not one of that number, nor of ws all, bot salbe reddy for our owne pairtis to give the most ample testimony of obedienss to his

Nota.
Heir is gryt bost.

Vntrew.

Strange conceatis.

The King is soir censurit most boldlie.

Sillie ressons

Thay seik a pley vpone slicht groundis

The conclusioun, beiring thair stopping of the noblis.

Majesteis commandment, and of our consciens of his Majesteis justice and goodness, as his Majestie sall reallie fynd (at his cuming) dureing his abode in the kingdome. For we ar assured, what hath bein committed be any, since the begun pacificatioun, contrair to any of the articles thairof, hath proceidit from the dispositioun of the wickit instrumentis about him, who ar enemeis of his Majesteis honor and oure peace, and hath bein the authouris of our wilfull diuisionis, quhilk we pray the Lord bring to ane happie end, by ane happie and euerlasting peace.

Finis.

With thir ressones, the foirsaidis Lord Lyndsay and Lord Lovdoun, commissioneris foirsaidis, brocht fra the covenanteris certane greivances to his Majestie, to cullour the moir thair brak of deutie, quhairof the tennour followis:— Greivances also brocht to the King.

Greivances to be remonstrated to his Majestie.

1. The prouisioun laid in the castell extraordinarlie, as granadoes, potpeices, and vtheris, whiche ar offensiue and not defensiue.
2. Protectionis givin without payment of anuelrent.
3. Insolenceis committit in the northe.
4. Othes ministrat to Scotismen (especiallie skipperis and Scotismen merchandis, whiche is contrair to the law of nationis, and to the lawis of Scotland) will bring many inconveniences, stop the tred, and bring ane number of dangerous euillis.
5. Justice denyit to all these who do persew for thair just debt in England, if the pairtie sall alledge thay haue subscrivit the covenant.
6. Priuat menis out-fallingis and broyllis ar questionat as nationall querrellis.

Finis.

Heir it is to be considderit, first, The Kingis just desyres contenit in his regraitis. 2. The covenanteris ridiculous ansueris maid thairto, conteining many minassing thretning speiches aganist the persone of his royall Majestie. And thridlie, Thair nachtie ressonis alledgit for with halding of the nobles vncum to the King, bakkit also with muche moir thretning. And lastlie, To considder the greivances givin in by them, whiche is no wayis comprehendit wnder the treattie of pacificatioun, as is formerlie set doun. Nota bene.

The Lord Lyndsay and Lord Lovdoun haueing presentit to his Majestie thair ansueris to his Majesteis just desires, with thair ressonis and greivances aboue exprest, and haueing red and at lenth The King receaving thir paperis is offendit, and with ressone.

perusit the samen, his Majestie waxt wroth thair with and becam impatient, finding, insted of satisfactioun quhilk he luikit for, he receavit nothing bot idle fruitless ansueris, bakit with bitter thretninges. Bot this royal King wes secreitlie borne doun in this expeditioun, by the meinis and wirking of his disloyall deceaving courteouris, and sum of the English nobles, who wer lordis of his counsall, straitlie and privatlie bound to our covenanteris be that dulefull clandestyne band and covenant, as he haue befoir, folio 43, and heirefter also, folio , quhairof the King had no kynd of knouledge; thay still, efter hatching this trecherouss covenant, going on in vther handis (tho secreitlie) both in Scotland and England for the Kingis overthrow, as heirefter do cleirlie appeir. Like as English and Scottis covenanteris had foirsein (befoir the Kingis cuming to Bervick) quhat to say and how to ansuer for concluding of a pretendit peace, ending to thair owne endis. Like as, wnder trust, his Majestie wes movit to condiscend peice and peice, and day by day, to give content to the covenanteris, by these English lordis of his counsall and wickit courteouris of our Scottis about him, speciallie of the Marques of Hammiltoun, privie to all thir plotis, and wold neuer reveill the samen to his gratious and royall maister, as in highest mesour he wes bound to do, bot held craftellie both him and the covenanteris in hand for his and thair owne privat endis and respectis; albeit the King still lykit and loved this Marquess, and gave him too muche credet; for the quhilk he also gat his rewaird, as ye may sie at last, folio .

He is borne doun by those in whome he trustit.

The clandestyne covenant betuix English and Scotis.

Thay go in vther handis for the Kingis overthrow.

Thair wirking pollicie.

The King persuadit to yeild to the covenanteris, litle and littill, by wikit counsallouris.

The Marquess of Hammiltouns disloyaltie.

The King givis him to muche credet, bot at last he is wardit.

Now, our Scottis covenanteris, being thus assured of England, micht boldlie do, speik, and wreit quhat thay pleissit to his Majestie without feir of censur or correctioun, as ye may perceave be thair paperis formerlie expressit.

The covenanteris maid bold.

Aluayis, his Majestie fynding him self so vsit, without moir ado, or dealling with our covenanteris, vpone the 29th of July leaves Bervick, and to London he takis journey, efter sindrie nobles had takin thair leive, sic as the Marques of Huntlie, the Lord Gordon; bot the Lord Aboyne went with the King. Sie moir of the Marques of Huntlie, folio 156.

The King returnis to London.

The Marquess of Huntlie takis leive.

Heir it is to be rememberit, that whill as the King wes at Bervick, Mr. Thomas Gray, ane of the balleis of Abirdein, and Mr.

Sum Abirdeins commissioneris speikis with the King, bot litle the better.

Lerned doctors.

befoir, fulfo . depairtit thair about the samen tyme.[a] Thir war tuo lerned doctors, who with sum vther Doctouris of Aberdein wold not imbrace the covenant, but stood to the Kingis opiniouns, as may be sein in thair dewmalis, answeris, duplyis, and vther paperis set out be them and imprentit.

Weilbeloved.

Thay both war weilbeloved of thair flokis and people whill thay war in lyf, and ather thay ar deid havellie regraitit.

Doctor Barron sends for his wyf.

Doctor Barron fyndeing him self havellie diseasit, send for his wyf, who haistelie went, bot befoir scho cam he was deid; and saw him homestlie burreit, and with mouche sorrow sho returnit home.

Sche gets a pensioun.

It is said the King ordanit hir to get ane pensioun out of the bischoprik of Orkney dureing hir lyftyme.

Lieutennand colonell Johnstoun gois to the King.

Ye hard befoir of lieutennand collonell Johnstoun, folio , how he wes hurt at the Brig of Dee. He now recoveris his helth, schippis him self, his wyf and goodis quyetlie, and to the King gois he, who (as is said) wes graciouslie receaved, as he well deserved, for his stout service at the said Brig of Dee.

Another fast keipit in Edinburgh.

Vpone Monunday [Sonday] 4th August, ane solempne fast keipit in Edinburgh for the happie success of the ensewing generall assemblie, and a litle befoir the doun sitting thairof.

The generall assembly sittis doun.

Vpone Tuysday 12th [13th] August, the generall assemblie sat doun in Edinburgh.

The Erll Traquhair, commissioner.

Johne, Erll of Traquhair, cumis commissioner for the King, be his letteris patent.

Mr. Dauid Dikesone, moderatour.

Maister Dauid Diksoun, minister at Irving, is chosin moderatour.

The covenant explanit.

The covenant maid in anno 1580 and 1581 is be this assemblie explanit, and declairit to

Episcopacy abiurit.

be ane abiuratioun of episcopacy, and found to be vnlauchfull in

Ane new covenant abolishing diuerss materis.

our kirk; and maid wp ane new covenant, beiring this explanatioun, that the book of commoun prayer, buke of canons, buke of consecratioun and ordinatioun, hie commissioun, and articles of Perthe, sould be abolishit. Thair wes many vther actis and ordinances set doun in this assembly, quhilk heir is referrit to thair owne bookis.

The commissioner is not weil treat.

It is said the Kingis commissioner wes not content with thair procedure, tending and incroching vpone the Kingis royall pouer; inrespect quhairof, in the face of the said assemblie, he maid ane

He protestis.

declaratioun and protestatioun, drawin wp in wreit, quhilk also wes

[a] See Hist. of Scots Affairs, vol. iii., p. 89.

produceit in presens of the lordis of privie counsall and registrat in thair bookis, quhairof the tennour followis:—

Ane copie of the declaratioun, quhilk the commissioner affermes to haue bein givin in to the secreit counsall, to be registrat in the buikis thairof, and whiche he requyres may be joinit to the act of counsall, granting the assembleis petitioun presentit to the clerk of the assembly.

The commissioneris declaratioun registrat in the buikis of counsall.

And siclike, the said lord comissioner producit, in presens of the saidis lordis, the seuerall declarationis he hes or is to subscrive to the actis of the generall assemblie, concerning the annulling of the articles of Perthe, and abolishing episcopacie, and ciuill places of kirkmen within this churche, and concerning the confessioun and covenant, and desired the samen to be insert and registrat in the bookis of privie counsall, thairin to remane *ad futuram rei memoriam;* quhilk desire the saidis lordis fand ressonable, and ordanit the samen to be registrat in the saidis bukes of privie counsall, quhairof the tennour followis:—I Johne, Erll of Traquhair, his Majesteis commissioner in this assemblie, doe in his Majesteis name declair, that notwithstanding of his Majesteis owne inclinatioun, and mony vther grave and wechtie ressonis moveing him, yit suche is his incomparable goodness touardis his subiectis of this kingdome, that for giveing satisfactioun to his people, and for quyeting the present distractionis, he dois consent that the 5 articles of Perthe, the government of kirk by bischopis, ciuill places, and pouer of kirkmen, be declairit within this kirk as vnlauchfull, as contrair to the constitutiouns thairof.

His consent to strange alteratiouns within this kirk.

And I doe aluaies heirby declair, that the practeiss of the premissis, prohibeit within this kirk and kingdome, sall neuer bynd nor infer censure aganist the practeeis out of the kingdome, as said is.

And forder, I declair the word (occasionall) in the end of the act the 17th of August instant, wes nocht in the draught agreit vpone with me in presens of the counsall, bot wes thairefter addit in the assembly, without my knouledge or consent.

Forder, I declair whateuer is allowit be me in this assemblie, is meirlie and onlie as ane act of this assemblie, without ony vther relatioun or respect quhatsumeuer. Nota.

And becaus mony thinges haue occurit in this assembly whiche may concerne patronages, ather belonging to the croune, bischoprikis, or vtheris his good subiectis, and alss (by fynding pouer and places of kirkmen vnlauchfull) his Majestie may be preiudgit in parliament; and lest heirby, or by any vther act, ciuill pouer and auchtoritie may be wrongit by my waikness, or not by my animadverting thairto, I declair and protest that his Majestie may be hard for its redress in its owne tyme and place. His protestatioun.

And forder, I declair that quhatsumeuer commission or commissioner ar direct from this assembly, whiche may import or occasioun any vther meiting or conventioun of the subiectis, then the ordiner meiting of kirk sessionis, presbitreis, synodis, and suche like, as ar expresslie allowit by the lawis of this kingdome, that the samen is null and of na availl, and altogidder disassentit by me. Nota bene.

Sic subscribitur. Commissioner Traquhair.

Exceptiouns taikin agaist the commissionar.

It is said this assemblie took exceptioun agaist thir declarationis and protestationis, and the commissioner him self, as ye may sie at the 38 chepdour of King Charles secund parliament. Alsayes, the assemblie ordanis thair actis to be red throw the pulpitis of Edinbrugh vpone Sonday nixt. Thay indictit also, but the Kingis

Ane vther assemblie indictit.

auchtoretie or his commissioner, ane vther generall assemblie to be haldin at Abirdein the 28th day of July nixttocum, in anno 1640,

Thay dissolue.

cloissis in peace and ryses wp vpone the penult day of the said moneth of August.

How this parliament and assemblie is indictit

Ye may sie befoir, folio 142, how it pleissit his Majestie to indict this generall assemblie, and the subsequent parliament to follow therevpone, relatiue to ane treattie of pacificatioun drawin wp at Bervick befoir said. Conforme to the quhilk indictioun, the foirsaid generall assemblie sitis doun and rysis, as ye haue hard.

The parliament sittis doun.
Croun, suord, and scepter borne.

Now the parliament sitis doun at Edinbrughe the penult day of August foirsaid, the Erll of Traquhair commissioner. The croun, scepter, and suord is borne befoir him. The nobles, barronis and burgessis, and thair commissioneris, rydis in wonted forme wp the get to the tolbuith. The parliament is fensit, and all sitis doun in

No archibischop, bischop, chancelor, clerk register heir.

order. Heir it is to be markit, no archibischop nor bischop, no chanceler, no clerk register, is at this parliament, for all had fled the land and durst not compeir. Mr Alex^{r} Gibsoune suppleit the clerk registeris place, as being his eldest deput.

Who salbe the 3rd estait.

It is heir long disput who sould haue the thrid estait, seing the bischopis war abolishit, and there could not be ane parliament without nulletie, wanting ane thrid estait; quhairof the covenanteris wes most cairfull, that there proceidinges suld be good and lauchfull, not subiect to nulletie or reductioun. And first, as is alledgit,

14 men in the bischopis place.
Who sall haue the electioun.

it wes proponit that 14 men sould be chosin in the 14 bischopis place. Then it is questiound whidder the King, be his prerogatiue royall, suld haue the electioun of this 14 men, or whidder the vther tua estaites sould haue the same. This queritur gois to voiceing, who

It gois to voeing.

The 2 estaitis getis the electioun.

suld haue the electioun. It fallis be pluralitie of voites, that the vther tua estaites, nobillis and burgessis, with the commissioneris for the barronis, sould haue the electioun for the 14 persones to the thrid estate. The commissioner makis oppositioun, and planelie dis-

The commissioner makis opposition.

assentis thairto, making his protestationis in the contrair, craveing

at the estaitis convenit, so far licenss as to acquent his Majestie with this particular befoir ony forder war done. Quhairvpone he haistellie wreitis to the King anent the premissis, and whill his Majestie send bak ansuer, the parliament sittis still. He aduertesis the King.

In the meintyme the Marquess of Huntlie (being duelling in the Cannoget, hauing his thrie virgin dochteris with him, Ladie Ann, Ladie Henrieta, and Lady Jean, and the Lord Gordoun at Strathbogie), cam to this parliament, whair in publict presens the commissioner his grace, the said Marques, and the Erll of Kynnowll, sueir and subscrivit the covenant, as wes reportit, befoir ony vther thing wes done. The commissioner his grace, the Marquess of Huntly, the Erll of Kynnoull subscrives the covenant.

Follouis ane complaint aganes the said Marquess, at the instans of the Erll of Erroll, being bot ane barne, throw wicked counsall, and malice of his tutoris and gyderis, for alledgit plundering of his houss in the toun of Turref, at the raid thairof, as ye haue befoir, folio . The Marquess ansuerit, he wes him self wardit in the castell of Edinbrugh, and he gave no warrand to do his houss ony wrong, nor any vther man, and sua suld be frie. The lordis of parliament thocht his ansuer ressonable, and the perseuaris loist the causs. The Erll of Eroll complans aganis the Marquess malitiously.

Then cumis thairin ane vther more malitious complaint aganes him, at the instans of the lairdis of Frendracht, Lesly, Cragiwar, Glenkyndie, Alex^{r} Forbes, *alias* Plagne, and diuerss vtheris of the Forbes factioun, his old enemeis, for alledgit recepting within his ground of Johne Dvgar and remanent of his followeris of the name of Clangregour, notorious thieffis, mvrtheraris and robberis of the Kinges leiges, and thame selffis in speciall. This complaynt wes tryit befoir ane comitte first, and thairefter befoir the parliament, and disput vigorrouslie be aduocatis in thair presence, quhilk is not vsit befoir face of parliament. Schir Thomas Hope, the Kingis aduocat, Mr. Rodger Mowat and Mr. James Baird were aduocates for the perseuares. Schir Lues Steuart and Mr. Johne Gilmvre were aduocatis for the Lord Marquess. And efter long disputatioun, the Marques is absoluit. Thus he patientlie sufferit amongis the rest of his havie crosses. Ane vther complaint aganist the Marquess. Pleadit by procuratoris. He is absoluit. He is oft crossit.

As thir thinges were in doing, the King wreittes bak desyring the parliament to be adjornit to the 14th of November, quhilk wes The King sendis ansuer. The parliament adjornit, and dissolues.

grantit, and the parliament contynewit to that day, the covenanteris making mony protestationis in the contrarie, and so this parliament dissolues, with litle more ado.

The ornamentis of the croun.

The commissioner, cairfull of the keiping of the ornamentis of the croun, keipit thame in a secreit place whill thay sould be socht.

The King sendis for his commissioner—he wes detajned
The King is offendit.

The King sendis doun to Scotland for his commissioner, bot the estaites wold not suffer him to go, vpone there owne ressones, as wes alledgit; quhairat the King wes michtellie incensit, sie better the baksyd.

The dependancy of this parliament.

It is heir to be markit, that albeit the King had indictit this parliament, and fra the quhilk be continewation day by day to the ellevint of Junij, 1640, vpone the quhilk day the estaites held ane parliament be thame selfis, without ane commissioner or ornamentis of the croun, as ye may sie heirefter, folio ; yit there is none of the actis of parliament, maid in the Erll of Traquhairis name as commissioner, registrat amonges the rest of the actis of parliament, bot off set purpoiss omittit and left out be the covenanteris, except there is sum mentioun maid of that whiche makis for thame in the parliament holdin be the estaitis, and Robert, Lord Burghlie, thair president, vpone the 11th of Junij foirsaid, viz., the 5th act as the same beires, sie more heirefter, folio . Thus is this parliament disdaynit and put in obliuioun, albeit he ratefeit bischopis, articles of Perth, pouer of kirkmen, to be vnlauchfull.

No actis registrat of this parliament.

Johne Mengzeis perishis in the north water.

About this tyme, Johne Mengzeis, eldest lauchfull sone to Schir Paull Meingzeis of Kilmvndie, lait prouest of Abirdein, hapnit vnhappellie to perish ryding throw the north water. His corpis wes haistellie takin wp and convoyit with lamentatioun to Abirdein; and vpone the 22nd day of August, wes bureit with volie of muscat in sted of funerall sermon, as wes wont to be givin, and mony teires sched for his vntymlie death being a brave youth of singular expectatioun.

He is brocht hame and bureit.

Comissioneris send to the King.
Thay ar not hard.

Ye heir on the vther syd about Traquhair. The King wold not heir the Erll of Dumfermling and Lord Lovdon, quhom the covenanteris sent wp commissioneris to the King, becaus thay cam wp to him without his commissioneris consent; bot he wes nowayes detaned be the estaitis, as is on the vther syd nottit.

Patrik Lesly chosin prouest by moyan and zyning.

Vpone Wednisday, befoir Michaelmess, Patrik Leslie is now

chosin prouest of Abirdene, (who, to his gryt greif, wes removit fra that place abefoir, as ye may sie, folio 30,) now being ane pryme covenanter, and of good estait, recoveris this place agane be the consent of the most pairt of the counsall, who wes also all covenanteris, and vpone his courss of preferment, be express command of the estaitis of this kingdome, as a man fitting for thair service in this tumvltuous tymes, and in sic a brughe as the toune of Abirdene, whome the estaitis euer thocht wes not altogidder of thair opinioun. Howsoeuer, many of the tounes people thocht not good of this electioun, feiring he wes prydfull and seditious, reddy to breid dissentioun amongis them, as over treulie it cam to pass, as by thir notis may heirefter appeir. Sum ar miscontent.

The laird Drum, at this Mihaelmes, contynewit schireff principall of Abirdein for ane yeir. Mr. Williame Dauidsone constant schiref deput thairof dureing his liftyme, and Schir John Mackenzie of Tarbet schiref of Innerniss for ane year. The laird Drum contynewit schiref. Mr. Williame Dauidson deput.

In this moneth of September, ane Holland schip with store of cheiss cam in to Abirdein; 24 pund wecht thairof sauld for 8 shillinges Scottis, quhairof the people wes weill content. Cheiss good cheap.

Vpone Frydday, the 27th of September, on the nicht, the eist quarter of Colledge Marschall suddantlie took fyre (none knowing the maner how). The people gatheris, bot culd not get it quenshit, whill it brunt to nocht. Aluaies, it wes schortlie biggit wp agane, yit takin for ane visitatioun fra God, sie moir heirefter, folio .[a] College Marschall takis fyre.

About this tyme, the laird of Banf, seing he culd not leive in suirtie at home, becauss he wes still the Kingis man, and wold neuer yeild to sueir and subscrive the covenant, takis courss for refuge to go to the King and seik his protectioun, bot litle help had he of him, suppose his Majestie lykit weill so to haue done; bot Banf payit seveirlie for his outstanding, and wes cruellie pvnishit and oppressit in his estait, as efter ye sall heir, folio . Banf gois to the King.

Ye hard befoir, folio 95, how Doctor Leslie, principall of the Colledge of Old Abirdein, Doctor Sibbald, minister, and diuerss vtheris went to Bervick to the King. He cam hame with the Doctor Lesly. Doctor Sibbald cums home. He enteris to his ministry.

[a] See Hist. of Scots Affairs, vol. iii., p. 88.

"Item, be warrand of councell payet to George Meingzeis, Maister of Kirk Work, for repairing of the edifice of the College £266 13 4." (Treas. Acc,)

tounes commissioneris, folio 153, in August. This Doctor Sibbald wes welcum, enterit to his ministrie in Abirdein, who servit thair for a while, sie heirefter, folio 169. Bot Doctor Williame Lealie being abefoir deposit, as ye may sie, folio 104, took him to ane quyet chalmer within the colledge, leivit soberlie in the toune vpone his owne charges, beheld patientlie Doctor Williame Goold occupie his place theirefter, and changes in thir dificult tymes. He wes ane singular lernit man, who culd neuer be movit to sueir and subscrive our covenant, saying he wold not hurt his consciens for worldlie meinis. He wes neuer hard to speik immodestlie aganes the covenant, nor procedur of thir tymes, bot sufferit all thinges with gryte patiens, attending Godis will; none moir fit for lerning to his charge in the colledge, and therewith godlie and grave. It is said the King gave him sum moneyis at Bervick, wherevpone he leivit for a schort time: and it is trew he had no gryte meinis to the foir of his owne at this tyme, sie more of him heirefter, folio 228. Doctor Goold is chosin principall in his place, altho vnvorthie.

Doctor Lealie leives in ane chalmer of the college

A lernit modest man.

The King gave him moneyis

In this moneth of September, thair cam out ane proclamatioun at the cross of Edinbrughe, forbidding the weiring of gvnis and pistollis or carabinis, vnder the pane of death; bot throw the vse of the inbringing of the beiring of thir forbidden vnlauchfull armes throw the good causs, this proclamatioun gat no obedience, to the gryte abuse of the land.

Proclamatioun forbidding the weiring of gvns.

Vpone the 17th day of October, thair wes ane committe holdin within the colledge of Old Abirdein be diuerss barronis, ministeris, and commissioneris, and Mr. Dauid Lyndsay, persone of Balhelvie.[a]

Ane committe holdin in the college.

[a] Vpon the 16th day of October, 1638, in the morning early vpon my bed thinking of all theise troubles and difficulties and terrours, and remembring my many and greivous sinnes, I weeped sore, and in my prayer to God for mercy and grace, for direction and deliuerance, and presence and peace, I watered my couch with my teares, and the Lord heard me from his holy temple; my cry came before him into his eares; he caused me to heare his loving kyndnesse in the morning, and greatly comforted me. Blessed be his holy name for ever and ever. That same day, a brother who hade the employment, came in a freindly manner to me, and sought back from me the Summonds wherby I was charged to compear before the Committie, and renewed it in a more calme forme, leaving out all the reproachfull aspersions wherwith I was unjustly charged, and now summoning me only to compeare before the Commissioners of the General Assemblie, at the College Kirk of Old Aberdene, vpon the seventeenth day of October instant, their to give euidence of my obedience to the constitutions of the last General Assemblie, and to answer for my acquittall in my profession of divinitie

There wes apointit to keip this committe sindrie noble men, bot were in Edinbrughe attending the parliament. There erand wes for placeing Doctor Goold in the principalitie, in the deposit Doctor Williame Leslies place, bot becaus the committe wes not fullie convenit, thay causs Doctor Williame Goold subscrive the covenant absolutlie, who had subscrivit the samen first with limitatioun, as ye may sie, folio 54; and he is chosin rector of this vniuersitie for a yeir, by suche as wes present, to begin with all, and thairefter wes chosin principall, as ye may sie heirefter, folio ; and this committe contynewit to the [14th] day of November nixt.[a] This Doctor

Doctor Goold subscrives the covenant but limitatioun.

He is chosin rector.

within the said Universitie. After this in the afternoone, that same day, I returned with humble prayers and supplications and thanksgiving to the Lord my God, who did draw neere to me in mercy and comforted me with unspeakable comfort, and opened my heart and mouth to speake vnto God, who answered me with answers of mercy and peace. Glory to God in the highest and peace on earth, good will towards men. Hallelujah.

Upon the 17th day of Octob., 1639, I compeared before the commissionars of the generall assemblie, according as I hade beene summoned, and the judicatorie was continued; and I was charged their *apud acta* to compeare againe before them, in that same place, vpon the 14th day of November next, which I promised to obey Godwilling . . . We are in a great strait, being loath to offend the kirk, and on the other part fearing to subscryue and sweare anything whatsomeuer, ather against our consciences or with doubting. Lord help us, bring our souls out of prison, that we may praise thy name. (Dr. Forbes Diary, fol. 188.)

[a] A Meeting was held in the rector's house on the ensuing day, of which the following are the minutes:—

'At a Meeting in the Newtoune of Aberdeine, the auchteint of October, M.VI^c threttie nyne yeiris, in the rectoris hous, wher war present the rector, Mr. Dauid Lyndsay, minister at Balheluies, directed from the committee, Doctor Gordoun, physician, Mr. James Sandilandis, canonist, Mr. Johne Lundie, grammarian, Mr. Robert Ogiluie, supprincipall, Mr. Alex. Gardyne, and Mr Alex. Midletoune, regentis.

'The said day, in regaird of the vacancie of the place of regencie of the thrid classe, by the deprivatioun of Mr. Alex. Scrogie, bv the committie from the generall assemblie, till the said place suld be provydit by a regent to the said classe; it wes thought guid, that Mr. Alex. Gardyne sould teache the said thrid classe, and attend theron, as he did on his owen proper classe, till the committie sitt, appoynted be the generall assemblie at Edinburgh, to be holden at Abirdeine for visiting the said universitie; whiche paines the said Mr. Alex., for the gude of the said uniuersitie, promised to wndergoe and performe faithfullie.

'The said day, in respect it was consiidered how miserablie ruinous the three transes of the colledge wer, it was also condissended by all, that deallis being a selling, half a hundrethe, sould be bought presentlie, and the saids transes with all dilligence suld be repaired.

'In like maner, in respect of the darknes of the commoun school, for making the samen more lightsome, pleasant, and commodious, it was condiscendit that a third window sould be maid out in the wast syd theirof, (as the rector dewysed) and the southe window in the gawill to be made fairer, by lawing the sol therof, and so making it larger in light.

'Moreouer, it was ordanit by commoun consent in like maner, that the librarie

He put out ane printed paper

Goold wreit out ane paper callit *Ane Freindly and Faithfull Advyss*, quhilk wes pryntit concerning thir troubles, and aganes the raising of armes be subiectis aganes thair lauchfull King, quhilk heirefter, at folio 316, is copeit word be word. Neuertheles he now subscrives this covenant, but limitatioun, contrarie to the opinioun of his printed paper, as it wold appeir, and to his first subscriptioun, being aluaies a temporizer.

Provinciall assembly sits down

Vpone the thrid Tuysday of October, the provinciall assemblie sittis doun in the sessioun hous of New Abirdein, and not within the college kirk of Old Abirdein, as wes vsit in the bischopis tymes. Mr Dauid Lyndesay, persone of Balhelvie, being last moderator, teichit (as the custom is). Efter sermon he and the bretheren, with there reulling elderis, viz., ilk minister haveing ane reulling elder chosin out of the worthiest of the sessionaris of his presbitry; well, ilk minister with his elder is callit, and be directioun of the Tables, this assemblie is contynewit to the 19th of November nixt, and so

It dissolues

but more ado dissoluit.

Colleges and schooles takin wp

Now the College is takin wp schortlie efter Michaelmes, be Mr. Robert Ogilvy, subprincipall, Mr. Alexander Middiltoun, and Mr. Alex^r Gardin, regentis standing on deposit; bot the principall and Mr Alex^r Scrogie wes deposed, as ye haue befoir, folio 104. The gramar scooll, and vther scoolis who had lyin idle befoir, beginis now to florishe, and lerning teichit.

The sessioun sits not

Ouire soueraigne lordis sessioun sitis not doun in Edinbrughe, the first of November, for administratioun of justice, bot wes vaikand the haill wynter sessioun, to the gryte greif of the trew creditour, and plesour of the debitor vnwilling to pay his debt. Thus is this

Inferiour courts

land so grevouslie abusett; yit schireffis and commissares held thair courtis, and vther inferiour judicatoreis, as thay war wont to doe.

Mr James Gordon, ... Kingis sight.

Ye hard befoir, how Mr. James Gordone, keipar of his Majesteis signet, conveyit the samen away to England to his maister the Erll of Stirveling, lest the covenanteris scuild seall thair malignant proclamationis with the samen, sie folio 90. He now cums hame

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... and be vsed by three of the number whom the moyte shall appoynt, as also the common processes, the writts of the inferiour courts, by D. Gordon, moderator, procurator, the assessor, and sup^rintendent: and a faithfull report of all those to be made to the nexte.' Minute Book, King's College.,

about this tyme, and brocht the same signet with him for serving the Kinges leiges, bot he gat litle thank fra the covenanteris for careing the samen away.

Ye hard, folio 157, how the King had writtin for his commissioner, and how he wes keipit becaus he refusit to ratefie the assemblie actis, and consent to what wes done in parliament, as wes alledgit, quhilk he wold onnawayes grant to doe without his Majesteis express command, as indeid he had ressone for him not to go by his commissioun. The comissioner keipit. The ressone.

In the meintyme the confederatis sendis wp to the King, the Lord Lovdoun, the schiref of Tevedaill, and Mr. Robert Barclay, prouest of Edinbrugh, with whome voluntarly also went the Erll of Dumfermling. Thrie comissioneris send to the King.

The King, heiring of there cuming, causit command them, the commissioneris, not to approche court be 8 myllis, becaus he had writtin for his commissioner, and wes detainde by his subiectis maist vniustlie, aganes thair othe of allegians, and contrair to the law of nationis, whairby ane embassador or commissioner may be recallit be his maister, fra any vther natioun, mekill mair be ane King fra his awin subiectis, at his plesour. Thir commissioneris seing the King so set, returnit bak agane (leaving the Erll of Dumfermling with his Majestie) without ony presens, in the moneth of November, about the 19th day thairefter. Quhairvpone the confederatis sufferis the Erll of Traquhair to go wp to the King, as ye may sie heirefter, folio 161. Bot the treuth is, Traquhair wes onnawayes detayned be the Scottis parliament, but sufferit to go peciablie; yit the King wes offendit that thay sould send wp the Erll of Dumfermling and Lord Lovdoun (who wes onlie the commissioneris) commissioneris to him, without warrand of Traquhair, being his Majesteis commissioner in Scotland; and thairfoir he wold not give thame presens nor heir thame. Presence refusit. The ressone. Thay returne hame. Traquhair is sufferit to go.

Vpone the second day of November, King Charles turnouris, stricken be the Erll of Striviling, be virtue of the Kingis gift, wes, be proclamatioun at the cross of Edinbrugh, cryit doun fra tua penneis to ane penny; King James turnouris to pas for tua penneis, becauss thay war no less worth; and the kaird turnouris simpliciter dischargeit as falss cungzie. Bot this proclamatioun wes Turnouris cryit doun to a penny, and recallit. Kaird turnouris dischargit.

[illegible] recalin, becaus there was ne uther money passing to mak change, and it was suffered to pas for ten pennes for a tyme, sic more heirefter, folio [illegible].

The commissioneris gois wrang.

Vpone Sonday, the third of November, Lesmur Sinclair and Duncan Cwmin, twa commissaris at Aberdein, gave the communione to the people sitting at the table, bot not vpone there knees, as wes wont, quhairat mony wes offrit.

Iohne Dvgar, ane bloodie murtherar and oppressour, cam to Williame Stewartis hous at Spey syde, accompanyit with 24 lymmaris, set out his watches, and took wp horses thair; and in the mein tyme send doun to the Garmoche for expensis and spending silver, vtherwaies he wold cum and plunder thair houssis and goodis. The people is astonesheit with this charge, bot gave the beraris fair wordis whill the countrie wes adverteist, who schortlie convenit. And Iohne Dvgar, informit of there gathering be his out watches, schortlie takis both the ferry boites, and careis over his men to the Stanneris, quhilk is in midst of the water of Spey, and keipit the ferry boites fast besyde him self, so that thair wes no other boit nar hand to follow thame. The countrie people seing thay wantit boites, and cald not ryd the water, being great, beginns to persew thame with schottis, and thay schot agane, whill at last Alexr Andersone in Garmoche, standing be the water syde, schot this Iohne Dvgar vpone the saidis Stanneris deid. His men seing this, takis the flight throw the strynd to the south schoir, but ony more skaith, and hyne go thay; and the countrie people returnis to there owne houssis.

Iohne Dvgar comis wrang.

The people is offendit.

They gather.

He fires.

He is slayne.

His men takis flight

The Erll of Traquhair negotiis peceablie.

The confederatis sufferis the Erll of Traquhair (vpone the doun cuming of thair commissioneris without the Kingis presens) to depairt, who, vpone the 22nd of November, went wp to his Majestie and wes weill receaved, and maid knight of the garter, as wes said, sic more of him heirefter, folio 167.

He is maid knight of the garter

The confederatis sendis to the King.

In the mein tyme, the confederatis writtis to his Majestie, with ane gentilman called Mr. Williame Cvninghame, who schortlie follouit the said Erll of Traquhair, to desyre the King to give presens to there commissioneris when thay cam, and to heir thair humill petitionis, sic more heirefter, folio .

About this tyme, word cam to Abirdene that, in the moneth of

September, 1639, thair cam to the sea ane Spanish fleit, consisting of threttie gallyis, thretten Dunkirkeris, sevin Hollanderis (takin fra thame as prysis, and mounted be the Spangzeard) with tuenty Hamburrieris schippis. Martin Harper Trump, Admirall to the estaites of Holland,[a] heiring of this fleit, send aduerteisment to all the schippis wnder his command, at four seuerall tymes, to convein them selfis togidder, and come in one company; quhairvpone his Vice-Admirall, Vitten Vittenss, with his squadron of fyve schippis, did joyne him self with the Admirall, thay being all in number bot sevintein schips of warr; yit he resoluit (notwithstanding the gryte disparetie) to attend the Spanish fleet, and to sie what advantage he could gane of it, commanding his fleet to keep thame selffis cloiss, that the Spanish micht not divide thame one from another. The fight then did begin furiouslie; and the issew wes that the Spanish, in place of going to Dunkirk, (for so it wes suspected) did set there courss touardis the Downes, vpone the auchteint of September. At whiche fight, questiounles the Spangzeard sould haue sufferit gryter loiss, if the pulder can [had] not begvn to grow scant in the Holland fleet; quhairof thay receavit out of Caleiss ane supplie, and thairefter schortlie followit the Spangzeard to the Downes. Befoir thair arrivall, the Spanish Admirall maid dificultie of taking doune his flag to the English Vice-Admirall, Peningtoun; whiche questioun wes sone decydit, when thay saw the Holland fleit advanceing, (to the contentment of the English Vice-Admirall, haueing ankred at the road). The King directit ane commissioun to his Vice-Admirall, Pennyngtoun, chargeing him to command both the fleetis to abstene from all hostility, one aganes another, vpone the Kingis road; and who did first attempt ony act of hostilitie, sould be vsit as enemyis to the English; whiche commissioune wes deliuerit by Peningtoun to bothe Admirallis, and with all desyred the Hollandis Admirall to schew if he had ony warrand from his maisteris, to assault the Spangzeardis vpone the Kingis road; and, if he had ony suche order, that he wold aduertess him, the said Peningtoun, 3 houris befoir he wold put his order to

Ane Spanish fleit.

There schippis.

The Hollanderis waitis on.

The fight begins.

The Spanish courss.

He gois to Downis.

The Hollander followis.

His schippis.

Schir Johne Peningtoun.

The King sendis ane comissioun.

Peningtounis petitioun.

[a] 'Martin Harperson Trumpe, the admirall of Hollande, (sonne of a Scottish father, one Harper, borne at Peterheade in Buchaine.)' (Gordon's Scots Affairs, vol. iii., p. 84.)

The Hollanderis ansuer. executioun. Whairvnto the Hollandis Admirall ansuerit, that he had no order to assault the Spangzeard vpone the Kingis road, or that he afterwardis wes to receave ony order thereanent; that Peningtoun sould not tak it in evill pairt, if he did not aduerteiss him 3 houris befoir hand, be ressone that the wynd and tyde micht be contrair; yit, that if he could possiblie, he wold not be wanting to give him dew aduertesment. At last, efter thrie weikis abode there, the Hollandis admirall haueing socht more supplie of schippis from the staitis generall, and obtenit ane reddy supplie of 90 warr schippis, did call ane counsall of warr, and, attending to the resolutioun and command of the staites generall, of the dait the 12th and 29th of September, did, by commoun advyss, resolue to set vpone the Spangzeard at the first opportunitie; commanding his Vice-Admirall, Vitten Vitenss, with 30 warr schippis and 4 fyre schippis, to attend the Englishe fleit, and to hynder that thay sould not assist the Spangzeard. He divydit the rest of his fleit (being yit 60 warr schipis) in 5 squadronis, in eche placeing 12, one to be led by him self, the 2 by Johne Everdsone, Vice-Admirall of Zeland, the 3 by Huntibeir, the 4 by Caitis, the 5 by Hendask Cornelisse. Wherewith, thay taking advantage of ane north northwast wynd (that did blow af the land) whilst the Spangzeard rode at anchor, vpone the 21st day of October, thay did advanss touardis the Spangzerd in fyve diuerss places; bot did not schoot at all, bot wes first schot by the Spangzeardis throw the saillis, wheirby ane soldior in capitane Bailleis schip wes slayne, of whiche he did give aduerteisment to the Englishe Vice-Admirall, desyreing him ernestlie to remember his promeiss, that since the Spangzeardis haue done the first act of hostilitie, he wold assist him to ruine them, or at leist wold remane neutrall, suffering him to assault his enemy, who had first violated the Kingis frie rode. In the mein tyme, he schot furiouslie vpone the Spangzeard, the English fleet ryding still at anchor, and beholding securelie the issue. The Spangzeard, seing this, with gryte expeditioun cuttit his cable, and gat wnder saill; bot incontinent 23 of them war, by suche violens, perseuit by the Hollanderis, that thay chused rather to run them selffis a land then to expect the meiting of the Hollanderis canon and schables. Of the whiche, 3 war brynt by the fyre schippis, 12 sunk, ane wes

The Hollanders getis moir schips.

Thay go to counsall.

Resolus for warr.

The order of this battell.

Thay pull wp saillis and advances forduard.

Ane soldiour slayne to the Hollanderis.

Thay tell the English Vice Admirall.

Thay persew the Spanzeard.

He getis wnder saill.

Thay ar miserablie overthrown.

schot throw and throw like a sive, and 6 ran them selffis a schore vpone the English cost; whiche 6 ar said to be keippit and mande with English soldiouris, and that the King had taken them wnder his protectioun. Thay ar tuo gryte Spanishe gallioun, and 4 Hamburgeris. The Admirall of Portugall, whilst the foir pairt of his gallioun wes on fyre, yit mantaynde him self couragiouslie in the efter pairt of it 3 houris long, and did at last synk with 800 men, of whiche war saiffit onlie 100. At that same tyme, both the Vice-Admirall of Naples and Castile were schot a ground. The Vice-Admirall off Selicia, with his schip and people, and other 7 gallioun, were taken and mande. Vpone the Setterday following, nothing could be done throw storme of wether; bot vpone Sonday, the 23rd of October, the Hollanderis took ane vther gallioun, and vpone Mononday ane other; so that of the Spanish schipis there were takin 7 gallioun, with a frigot, and 3 vther schipis, all brocht into Zeland at Rammekyns. Item, 2 in Texill, and ane vther the Admirall Trvmp brocht in with him self to the Maess, besides 3 vther gallioun, whiche did synk. The Spanish grite Admirall Docquendo, with ane Spanish schip and 5 Dunkirkeris, did gane the rode of Dunkirk. There wes also ane gallioun escaped within the Thames, so that the whole Spanish fleet, consisting of 67 schipis and 24,000 men, ar reduceit to 14 gallionis and schippis; and of the Spangzeardis there ar pairtlie deid, killit, drouned, and brynt, neir 16,000 men, and 40 of the schippis and gallionis ruianted and distroyed.

Huge victory to the Hollanderis.

Ane grite overthrow of 67 schipis, and 24000 men.

Vpone the Hollanderis syde there ar bot 2 schippis loist, (and that by necligence) in whiche ar bot perishit about 100 men, and all the officiares ar saife. Wherevpone the staitis generall haue thocht fit to apoint a solempne thankis giveing to the Lord aganist the nynt of November nixt.

The Hollanderis loiss.

Thankis-giving apointit.

Whidder this battell wes fought with so grite loiss to the Spangzeard, and with sic litle loiss to the Hollander, as is befoir writtin, is hardlie till be beleivit, so muche the rather as thir newis wes writtin to Abirdein be ane Hollander. Bot be it as it may be, it is maist certane the Spanzeard gat heir ane terribill overthrow, quhairof seldome thay had gottin the lyk befoir.

Thir newis not altogidder to be beleivit.

Many men judgit whair this fleet of the Spanzeardis wes cuming.

Diuersa opinionis of this fleit.

Sum alledgit thay war set out by persuasioun of the prelatis and papistis of England to cum and subdew the protestantis thair enemeis, als weill in England as in Scotland and Ireland; bot this paper beires, thair courss wes for Dunkirk, and so this wes bot ane suspitioun, sie folio 190.

Ye hard befoir, folio 157, how the Marquess of Huntlie took wp hous in the Cannoget. All this while, he remanis and duellis peciablie there as ane good covenanter. In the meintyme the Lord Drummound is mareit to Lady Ann, his eldest dochter, who wes anē preceiss puritane, and therefore weill lykit in Edinbrughe. This mareage wes celebrat with grite solempnitie. Many nobles and knichtis wes heir. Amongis the rest, the Lord Gordone cam from Strathbogie to the samen, who had bidden thair sen August, 1639, as ye may sie befoir, folio 153; and immediatlie efter this mareage he rydis to England to the King, at command of his father, sie heirefter, folio .

The Lord Drummond is mareit to Lady Ann Gordoun.

The Lord Gordon gois to England.

Schortlie efter this, the Lord Seytoun is mareit to Lady Henrietta, the Marquess second dochter, who wes not of hir sisteris religioun, bot ane Catholik Romane. Both thir ladeis mareages wes drawin on be there vncle the Erll of Argyll, who wes also cautioner for both there tocher goodis, viz., to Ladie Ann the soume of fourtie thowsand merkis money, and to Ladie Henrieta the soume of fourtie thousand merkis; for his releif quhairof he gat the woodset of Lochquhaber and Badzenot, and for vther soumes besyde, as ye may sie heirefter, folio ; see also of Ladie Jeanis mareage with the Erll of Haddingtoun, folio 167.

The Lord Seytoun is mareit to Ladie Henrietta Gordoun.

Argile is the maker of thir mareagis, and is cautioner for there tocher.

The Marques convoyis ilkane of his tua mareit dochteris to there owne houssis. He left his thrid dochter, Lady Jeane, with his sister in Wentoun. He procures ane saif conduct or pass from the Tables to his sone Lodovick, who then wes at Strathbogie, to cum to him quhair euer he wes. Thir turnes satlit, the Marquess gives wp his hous in the Cannoget, discharges his seruandis, and about the 26th of November to the King gois he; his tua sones, the Lord Gordoun and Lord Aboyne, being gone befoir him, sie more heirefter, folio . Thomas Crombie of Kemnay followit him also to the King, sie moir heirefter, folio .

The Marquess putis his houss in order.

And gois to the King.

In this moneth of November, a pairt of the castell wall of Edin-

brughe, about the vtter yet, fell doune; bot it wes haistellie repairit and biggit wp agane, and the castell weill providit and furneshit with all thinges necessar. A pairt of the castell wall of Edinbrugh fallin doun, and repairit and weill furnishit.

The castell of Dumbreton wes also mannit and furneshit with Englishmen as wes reportit. Thir tua strenthis wes, (at the treattie of pacificatioun,) randerit to the King, quhilk bred mekill truble to the countrie and confederatis, as ye may heir, folio . The castell of Dumbartane manit and furneshit.

About this tyme, Mr. James Sandilandis began to teiche the cannon lawis in the colledge of Old Abirdein, as he wes restrictit and limitat be the generall assemblie, viz., to teiche onlie vpone Teyndis, Testamentis, and Matrimony, and to handle no farther of the cannon law bot these thrie heidis. Moyan (suppose he had his awin enemyis within the colledge) bure him throw to be canonist in forme foirsaid, for the quhilk he gat yeirlie payment of about 600 merkis for teiching ane improfitable lessoun when he pleissit, anes in the weik, or anes in the moneth as he lykit best, for the quhilk he wes neuer found fault with, and he had few auditoris except the regentis and studentis, who thocht thay tynt thair lessones idlie to heir him; and the memberis of this college thocht this geir wairit vpone him wes loist, and meiter to haue bene bestowit vpone thame, who induirit panes, day and night, for vpbringing the youth. Aluaies, as I haue said, he is careit throw be moyan to be canonist in forme foirsaid; bot it lestit not lang, as ye may heirefter sie, folio 182. Strange to sie ane man admittit to teiche lawis who wes neuer out of the countrie studdeing and lerning the lawis. Aluayis he is quyt to be canonist, and is chosin ciuilist, folio 182. The cannon law teichit with limitatioun be Mr. James Sandilandis. His yeirlie stipend. His panes. Few the better. Loist geir, and evill wairit.

About this tyme, the Lord Balmirrinoche and his associates, be directioun of the Tables, began to haue meitinges in Edinbrughe, contrair to the fyft article of the act of pacificatioun, as ye may sie, folio 143, quhair sic meitinges contrair to the act of parliament ar dischargeit. Meitingis at Edinbrugh contrair to the pacificatioun.

Vpone the first day of December, being Sonday, Doctor Scrogy celebrat the comvnioun in Old Abirdein. He, in his sermon, began now to exhort the people to obey the ordinances of the kirk, with muche suche mater. Aluaies, the people receavit the samen sitting. Doctor Forbes tuke it efter the samen maner, and no kneilling wes thair, as wes wont to be. The minister gave it to two or thrie The commvnioun givin in Old Abirdein. The form thairof.

narrest him, then ilkane took his awin comvnioun breid out of the bassein, and in like maner the minister gave the covp to the tua narrest him, syne ilkane gave the covp to his nightbour. Strange to sie sic alterationis; ane yeir giving the commvnioun to the people kneilling, be virtue of ane act of parliament foundit vpone Perth articles, and that sam self ministeris to give the commvnioun efter another maner, sitting, at command of the generall assemblie, vnwarranted by the King.[a]

Alterationis.

About this tyme, Mr Johne Spotiswod, archibischop off Sanctandrowis, and heiche chanceler of Scotland, about the aige of thriescoir fyftene yeires, cheassit out of his roume, fled to Ingland, and depairtit this lyf at London, efter he wes heir excomvnicat, as ye may sie, folio . Schir Robert Spotiswod his eldest sone, and president of the colledge of justice, is compellit to flie his countrie, and go to his auncient father, and durst not return home, quhill ye may sie heirefter, folio ; a myld man, weilbelouit of many.

The archbischop of Sanctandrois deceissit.

His persecutioun.

His sone fleis also. His return.

Vpone the 17th of December, four wark men about the schoir, bringing ane keill doun the water to ane schip to transport goodis, be violenss of speat water, ar careit out at the water mouth of Die, quhair thay all pitifullie drount, and the keill cassin in at the Fyve myll burne. Another visit doubtles from God to Abirdein, quhairof litle good vse wes maid.

Four warkmen perishis.

Godis visitatioun.

Vpone Sonday 22nd December, Doctor Goold and Doctor Sibbald admoneshit the people not to keip Zooll day nixt following, as contrary to the ordinans of the churche. Sum obeyit for feir, vtheris maid good cheir, and the covenanteris durst not transgress.[b]

Zoolday forbiddin.

[a] Vpon the first day of December, being the Lord's day, Dr. Alex. Scrogie preached again vpon that parable set doun in the beginning of Math. 22, shewing the greatnesse and excellency of the nuptiall feast, which God maketh for solemnitie of the marriadge betweene Christ and his Kirk, and inviteth us thereto to be welcome guests, yea, euery penitent faithfull soule to be both guest and bride. No feast is comparable to this, wherin we receaue that meat which remaineth vnto everlasting life, to wit, the body of our Saviour, Jesus Christ, which was broken for us, and his precious blood which was shed for us, to the remission of sinnes; and this particularly applied to euery one of us in the celebration of the Lord's supper: which was immediatly after sermon celebrated in the cathedrall kirk in Old Aberdene. (Diary of Dr. John Forbes, fol. 99.)

[b] The admonitions and injunctions against 'mantening of the twenty fyft day of December as Ywill day, halding the same haly day, and absteining fra labour, witht festing and playing,' (Burgh Records, vol. ii., p. 25), com-

Vpone the 24th of December, Johne Leith of Harthill sat doun in prouest Lesleis deass in the kirk of Abirdein. The prouest, cuming to the prouestis seat, seing him set there, offendit, causit pull him out be the officiares veray prydfullie, he being a barroun, and cheif of ane clan. Harthill gave him sum idle talk, for the quhilk he wes presentlie wardit in the tolbuith, quhair he lay long, as ye may heirefter sie, folio , and wes not releivit.[a]

Harthill wardit.

The causs thairof.

Montrose releivit him at last in anno 1645, folio

Vpone the day of December, the Erll of Traquhair returnis fra the King home. He is honorablie receavit in Edinbrugh. He is salutit at his entrie with shot of cannon fra the castell, and at his going out. He bringis out of Holyrudehous the croune, suord, and scepter (quhilk had lyin there since he rode the parliament) and left them in the castell to be keipit. He renuncis his commissioun, and none miscontent. Thairefter shortlie he rydis bak to the King, sie heirefter, folio . Efter whome cumis Mr. Williame Cvninghame

The Erll of Traquhair cums home. He is welcumd.

He transportis croun, suord, and scepter.

He renuncis his commissioun, and gois to the King.

mence in our civil and ecclesiastical records soon after the Reformation, and were repeated yearly for many years thereafter.

[a] The following graphic account of the intrusion of the laird of Harthill, in the old kirk, is given by the accomplished author of the 'Book of Bon-accord:'—This frantic baron, an ardent royalist, came to the old kirk on the 24th December, 1639, during the second prayer, and attempted to force his way into the provost's pew, by bursting the fastenings of the door. It was in vain that one of the attendants offered to procure him a seat elsewhere. 'By God's wounds,' he exclaimed, 'I shall sit beside the provost, and in no other place of the kirk;' and prepared to draw his sword, swearing he would strike the officer who opposed him through the body. After a tumultuous fray, he was overpowered, and conveyed to the tolbooth under charge of the bailies, whom he loudly menaced, crying, 'If ye put me in waird, keep me weill; for if I come forth again, I vow to God I shall burn your town!' On the conclusion of the service, so indecently interrupted, the magistrates proceeded to the trial of the offender. While one of the sergeants was repeating the usual words of form, in constituting or *fencing* the court in the King's name, Leith interrupted him with the exclamation, 'Ye are wrang, ye should fence it in the Devil's name!' then drawing his hat down on his brows, and turning to the provost, who was sitting in judgment: 'What say ye to me?' he cried, 'Ye ar but a doittit cock and ane ass! a plack for your kindness, and for all your baillies, and for the haill toune!' When the clerk proceeded to read the complaint and accusation against him, Leith, in the words of the record, 'not only violentlie plucked the paper furth of his hand, and reave the same in pieces, but lykwayes tuike the said Mr. George Robertson his penner and inkhorne, quhilk was lying befoir him on the table, and cast the same eagerlie at his face, and thairwith hurt and wounded him in two several parts, to the great effusion of his blood.' On being desired to plead, he 'malapertly avowed' all that was laid to his charge, and the court ordered him to be incarcerated till farther order should be taken with him.' (Book of Bon-Accord, p. 198.)

Ane packet cums fra he King.

with ane packet, and the 15th of Januar, 1640, apoint for vpbraking thairof; and the confederatis, both of brughe and land, warnit to that effect.

Morning and evning prayeris apointit.

Vpone the 26th of December, Mr. Dauid Lyndsay, persone of Balhelvie, moderatour of the presbitrie, being convenit in Old Abirdein, appoint morning and evening prayeris in ilk manes houss, callit the Famelie Exerceiss, according to the ordinans of the kirk.

ANNO 1640.

The King contentis to heir our supplicatiouns.

THIR confederatis with there commissioneris meites vpone the 15th day of Januar, 1640, at Edinbrugh: the Kingis letteris brokin wp, declairing he wes now content to heir thair supplicationis. Quhairvpone wes schortlie send the Lord Lovdoun, the schiref of Tevedaill, and Mr. Robert Barclay, prouest of [Irvine],[a] to the King with there supplicatioun. The Erllis of Dumfermling and Kynnoull, with sum vtheris, loveris of peace, went with thame, sie heirefter, folios 184, 185, and 186.

Commissioneris send to his Majestie.

The Erllis of Mar and Kingorne with the aduocat, put af of counsall.

About this tyme, the Erllis of Mar and Kingorne, with Schir Thomas Hope, aduocat, by command of the King, wes put af of the counsall, and the said Schir Thomas wardit in his awin hous of Craghall during the King's plesour; bot he wes set at libertie, sie folio , becaus James Grantis remissioun wes not exped throw the seallis, vpone his Majesteis command. Aluaies, he relaxt him self fra the horne, purchessit his remission orderlie, and went home to his owne countrie peciablie, by all manis expectatioun, being suche a blood schedder and cruell oppressour, efter he had escaipit so mony dangeris, sie befoir, folio 89.

The reason why.

James Grant relaxt and remitted.

The archbischop of Glasco fleis to the King.

Vpone the day of Januar, Mr. Dauid Lyndsay, archibischop of Glasgow, excomvnicat with the rest, and about the aige of 74

[a] 'Who had been sometyme pacdagouge to Argylle.' (Hist. of Scots Affairs, vol. iii., p. 79.)

yeires and in gryte seiknes, is forsit to flie to the King for his refuge and help.

The Erll of Haddingtoun mareit to Lady Jean Gordoun.

Vpone the 14th of Januar, the Erll of Haddington mareit Ladie Jeane, third dochter to the Marquess of Huntlie, (him self being at England) be the moyan of the Erll of Argile, who wes suirtie also for hir tocher good, extending to threttie thousand merkis money, in absens of hir father; the Erll of Haddingtouns landis being airit in his first mareage. Thus the Marques his thrie dochteris [are] now mareit, sie befoir folio 164, and also heirefter, folio .

Margaret Bellendyns deceass.

Vpone the day of Januar, Margaret Bellenden, dochter to the deposit bischop of Abirdein, depairtit this lyf in Bervick, following hir father to that countrie, muche to be lamentit, being ane young, modest, wyss, and discreit virgin.

The Lady Morray deceissis.

Vpone the 19th of Januar, the Ladie Countass of Morray depairtit this lyf in Elgyne, and wes bureit in hir father the Marques Iyll, besyde him self, and not besyd hir husband, sie befoir, folio 56, folio 182 heirefter.

Ane Abirdeins schip cassin away.

About this tyme, ane welthie schip of Abirdein, cuming out of Flanderis, is cassin away, men and goodis, except tua persons onlie; and likuaies, a litle befoir, ane vther of thair schippis laidin with salmound is takin be the Dunkirkeris. Thus, the Lord hes his hand over Abirdein, both be sea and land, bot no repentans for our synis.

Fast and prayer.

Sonday, 9th Februar, ane vniversall fast throw all Scotland, for craveing God pardon for the sinis of the land, and for his blissing that the King micht give ane gratious ansuer to the snpplicantis at court.

Tuo of the Kingis schips. Ane commissioun.

About this tyme there cam to Forthe tua schippis, quhairof ane of the Kingis whelpis wes one, haueing within 100 soldiouris, and ane commissioun fra his Majestie direct to the prouest, balleis, and counsall of Edinbrugh, whilk wes send a schoir and deliuerit; quhairof coppeit is thus:—

Charles Rex.

The Kingis letter to Edinbrugh.

Trustie and weilbelouit, we greit yow well. Where as we haue thocht good to send sum men and munitioun to oure castell of Edinbrugh, we do heirby will and

command yow, vpone your allegeans to ws, and vpone pane of incurring the pane of heighe tressoun, not onlie to suffer the said men and munitioun to be furthwith landit, and saiflie convoyit to our castell by suche numberis and parcellis as the berar heirof sall direct; bot lykuaies to be aiding and assisting in the seruice of capitane Slingisbie and capiten Schipisman, and suche otheris to whome we haue committed the charge of transporting and deliverie of the samen. And to this purpose we do heirby straitlie command yow to caus boites be immediatlie send from Leith to our schippis, to receave and bring on schoir oure saidis men and munitioun; and when they salbe landit, to causs ane strong guarde convoy them saiflie, and sie thame put wp in the said castell, and to repress and resist suche insolenceis or oppositioun as sall be maid to this our service, the disturberis heirof we do heirby requyre to pvnish examplarie, as incace of hie tressoun. And we do forder heirby will and command yow to give ws ane speddie compt of your diligenss and proceidinges heirin; and that ye faill not in any of the premissis, as ye will ansuer the contrair at your vttermost perrell. Givin at our court of White hall, the 21st of Januar, 16$\frac{4}{1}\frac{1}{8}$.

Nota. Our yeir changes in Januar, and the English in March, thus thair yeir 1639 is our yeir 1640.

This letter is directit vpone the bak: To the prouest, balleis, and counsall of Edinbrugh.

The Kingis letter weill resavit. The beraris bankettit. And the Kingis will obeyit.

This letter, efter advisement with the Tables, is plesandlie receavit. The beraris of the commissioun banketit in Edinbrugh. The soldiouris and mvnitioun landit, and vpone the tent day of Februar wes convoyit wp to the castell with ane strong guarde, haueing cokkit luntis, and wes within the castell plesandlie receavit, bot ony kynd of offens, according to the Kinges owne directioun; and so the schippis returnit bak agane.

The schippis gois bak.

Ane prettie motioun.

It wes said the caus of thair cuming wes vpone sum contest betuixt the King and sum of his nobles, quhair thay alledgit the King wold not get his men nor munitioun receavit within the castell of Edinbrugh, and the King held the contrair opinioun, and gryte soumes laid doun in plege; bot the Marquess of Hammiltoun, privie to this bargane, wreit haistellie doun to Edinbrugh to receave thir soldiouris in forme foirsaid, whereby the King micht be the more confident of thair loyaltie, quhairof his Majestie wes veray doubtfull, as the end indeid proveit; as ye may sie heirefter, folio .

Weill actit. Better reveilit.

The Kingis secreitis reveillit.

Word cam heir that the King wes wnder sum suspitioun of his cubiculairis, and that thay war reveilling quhat thay hard him say to the Scottis, quhilk, I beleive, wes not far by, so lang as he keipit the Marques of Hammiltoun besyde him. Quhairvpone, and for

better secrecie, his Majesteis Scottish effaires wes advysit and reullit by ane committe of aucht persones, all Englishmen except Hammiltoun. He hes ane committe.

Word also cam about this same tyme that the King wes begining to fortefie Bervick and Carleill with men, munitioun, and vther furnitour, sie folio 184. Bervick and Carleill fortifeit.

Vpone the 13th of Februar, Mr. Dauid Lyndsay, persone of Balhelvie, moderatour of the presbitrie of Abirdein, declairit in presens of the presbitrie holdin in New Abirdein, that he had ordour fra the Tables to aduerteiss the moderatour of ilk presbitrie within this diocie or province, that the ministrie of ilk presbitrie sould convein at New Abirdein vpone the 25th day off Marche nixtocum, and thair to subscrive the covenant, with ane explanatioun thairof maid be the generall assemblie, holdin at Edinbrugh the tuelf day of August, 1639, beiring that the covenant maid in anno 1580 and in anno 1581 abiurit episcopacie out of this kirk as vnlauchfull. Like as, the said assemblie declairit the articles of Perth and buke of comoun prayer to be vnlauchfull in this kirk, quhilk explanatioun wes set doun in ane covenant maid wp be the generall assemblie at that samen tyme; and that thay had givin ordour that it sould be suorne and subscrivit throw all the presbitreis of Scotland, ministeris and auditoris, man be man, becaus this covenant, beiring the explanatioun foirsaid, wes ratefeit be the Erll of Traquhair, his Majesteis commissioner, sie befoir, folio 154. Lyk as, the said Mr. Dauid Lyndsay maid lauchfull aduertesment as he wes ordanit, that the ministrie sould first cum in to Abirdene, sueir and subscrive the said covenant, and then ilk minister to caus his parochineris sueir and subscrive the samen; or vtheruaies not wp the names of these who refuisit to subscrive and sueir the said covenant. Bot he, at this presbitrie, desyrit Doctor Sibbald, ane of the ministeris off Abeirdein, to sueir and subscrive the samen, who being present refuissit; wherevpone gryte truble, sorrow, and calametie befell him, as ye heirefter may heir, folio 197. Bot whidder the bretheren cam in to Abirdein, the foirsaid 25th of Marche, to sueir and subscrive, I cannot weill tell; yit, vpone the 2nd of Marche, Abirdein subscrivit, sie folio 175. Ane covenant with ane explanatioun. Ordanit to be subscrivit. Doctor Sibald refuissis.

Thair wes also ane band drawin wp to be subscrivit be all maner

Ane band to be subscrivit by the Kingis leigis.

of man within the boundis of the kingdome of Scotland; and who so refuissit to subscrive the samen, that their names sould be markit and nottit. This band, in the moneth of Februar foirsaid, cam to Abirdein, beiring in the end thairof ane informatioun, quhairof the tennour followis:—

The tennour of this band.

We, &c., blank and vtheris wnder subscriveand, considdering that fforsamekill, as in the lait trubles of this kingdome, diuerss weill affected nobillmen, gentill men, burgessis, and otheris, did deburss in moneyis, victuall, or vtheruaies, and hes takin vpone there credet gryte soumes of money, (the burding quhairof being too havie for them to beir), equitie and ressone craves that thay war releivit and ransbursit thairof; and speciallie seing the benefites, alsweill of removeing of evellis as the reformatioun of religioun establishit by the last assemblie, indictit by our dreid soveraigne his royall auchtoritie, is commvnicat to all and evrie good and loyall subiect within this kingdome, everie one sould and aucht contribute equallie and proportionallie, according to his meinis and fortoun, for releif of the saidis commoun charges. And becaus the determinatioun of the parliament anent the said commoun releiffis is delayit, and the tyme thairoff as yit vncertane, whairby those that had debursit, wndertakin, lent there moneyis and victuall, and otheris lyis out of payment, alsweill of payment as anuelrentis, to the waikning and haserd of there credet, and to the danger of the rwin of there fortouns and estaites, vnless tymous and speidie course and remeid be takin, be mvtuall concourss of the haill kingdome, for releif and defraying of the samen commoun burdinges. Thairfore we bind and obleige ws, and euerie ane of ws, oure aires, executoris, and successoris, ilkane of ws for oure awin pairtis, and conforme to the proportioun of our estaites, meinis, and fortouns, ather in landis, money, goodis, or vtheris, quhairby profeit and commoditie yeirlie aryses, to content and pay to, &c., blank persones appointit for ingathering of the samen, the just, equall, and proportionable pairt of the saidis haill commoun charges debursit, advanced, and furnished for the commoun bussines foirsaid, and the publict vse of the countrie, since the begining of these lait troubles, as the samen commoun charges salbe found to extend and amount vnto, efter tryell and jnst calculatioun of the accomptis thereof, by those intrusted with the examinatioun and tryell of the samen; and that according to the proportioun of our landis, moneyis, goodis, or vtheris oure estait foirsaid, as the samen salbe valued and estimat be four or ma seuerall suorne landit men, or vtheris of good credet, reputatioun, and fame, to be appointit within ilk presbitrie within the kingdome to that effect; to whose determinatioun and estimatioun, to be givin wp wnder there handis and subscriptiouns, wee do heirby submit our selffis anent the said estimatioun of oure estait and meinis, and that at the terme of Witsonday, 1640 yeires, nixtocum, in this instant yeir of God, or at suche vther termes, and in suche vther maner and forme, as salbe apointit by the generall ordor to be taken by those who ar intrusted thereanent. And becaus the foirsaidis soumes, debursit as said is, dois pay anuelrent termlie and yeirlie: Therefore, in cace off not

The band.

None knowis his creditor.

His estait to be valued.

The band.

thankfull payment be ws, or ony of ws, ilk ane for oure awin pairtis, of oure proportionall pairtis of the saidis soumes, sua to be imposit vpone ws at the saidis termes respectiue, we obleige ws and oure foirsaidis to pay anuelrent for the samen, at the ordiner rate, efter the saidis termes of payment, with ten markis of ilk ane hundreth markis incace of failzie, but preiudice aluaies to sute executioun heirvpone. And becauss the proportionall partis ar to be payit be ws, alsweill heritouris, lyfrentaris, and otheris, according to the proportioun off our yeirlie worth, rent, estait, and meinis, as frie rent and worth, and not burdenit with debtis and vther burdinges: Thairfoir it is heirby declairit, that the debitor sall haue retentioun fra his creditor in the first end of the rent or anuelrent of the dew proportionall pairt of the said soume, effeirand to the rate and quantetie of the said anuelrent or burding, payabill be the said debitor to him or thame. It is heirby declairit, that what soumes of money, victuall, or vther goodis or geir, debursit or lent, or imployit for the publict vse, or taken be warrand of the commissares or officiares of the armyes, and for the armyes vse, vpone promeiss of repayment, be word or wreit, the samen salbe allowit to the persones deburseris, or from whome the samen war taken, efter tryell maid be those entrusted vpone the saidis accomptis, that the samen is just and ressonable; providing aluaies, the saidis debursmentis be givin in to the saidis persones entrusted with the saidis accomptis, betuixt and the &c. blank day of blank nixt to cum, togidder with the instructionis thairof, vtheruyss no allowans nor retentioun to be grantit. As also it is declaired, that what persone or persones sall not pay there anuelrentis yeirlie, within the yeir, at lest within thrie monethis thairefter, sall haif no retentioun of the said proportionall pairt; and for the mair securitie, &c.

Annuelrent incace of fallzie.

Retentioun.

The band.

Nota. Heir wes set doun the commoun claus of registratioun vsit in bandis and obligationis maid in the countrie.

This band wes mervallous in the sicht of the people, so doubtfullie and ambiguouslie drawin wp, as none knew to whome he wes bound and oblegit, bot left blank. Ilk manis estait to be valued, and conforme to mak payment, without warrand or auchtoretie of the King, bot extendit be subiectis vpone groundis of trubles begvn by them selffis, and for there owne releiffis to impose soumes vpone subiectis. This wes thocht veray hard, and effrayit the people so, that thay knew not what to do; for if thay refuisit to subscrive thay wold be trublit for the samen, as ye may sie in the end of the informatioun following; and if thay hapnit to subscrive, it wold compell thame to give out thair geir, whidder thay wold or not, for improfitable endis as thay thocht. Vtheris that war covenanteris wold go on and subscrive vpone all haserd, as ye may sie heirefter, folio .

Men knew not what to do.

Followis ane informatioun.

Vpone this doubtfull and ambiguous band followit ane vther peice, drawin wp likuaies in wreit vpone paper, callit ane *Informatioun*, writtin be it self, quhairof this is the coppie :—

The informatioun. *Forsamekill* as many and diuerss noble men, burgessis, and otheris, out of there good affectioun to religioun and liberteis of this kingdome, haue debursit moneyis, givin out victuall, or ingagit thame selffis for soumes of money and vther prouisioun necessar, and vrged for the publict vse of the kingdome, the releiff quhairof wes expectit to haue bein maid by act of parliament; and now, seing the determinatioun of the said parliament is delayit, and the tyme thairof vncertane, whairby these who haueing ingageit them selfis, or debursit the saidis moneyis or vther prouisiouns, lyis out of payment alsweill of principallis as anuelrentis, to the haserd of their credetis, and danger of there fortouns, quhilk is contrary to all equitie and ressone, seing the benefites (aryses alsweill of removeing of evellis as the reformatioun of religion) ar equallie comunicated to all and everie good subiect, according to their seueral estaites and degreis: we ocht, therefoir, in equitie beir a proportionall pairt and burding of the said commoun charges, according to oure estaites and fortouns. For effectuating quhairof, necessar it is, that the rule of proportioun be keipit, and everie man, alsweill to brughe as land, pay ane equall and proportionall pairt, according to his estait and rent of landis, moneyis, tred, or vtheris quhairby yeirlie profeit and commoditie aryses. And to the effect the samen may be performit in the maist equi-

The informatioun. table and fairest way, it is necessar: First, that the generall band be subscrivit be all the noble men, gentilmen, heretouris, and vtheris within everie schirefdome, who salbe convenit for that effect be the persones efter specifeit; and quhilk persone sall mak a particular account thereof, betuixt the dait heirof, and the &c., blank day of blank nixtocum, with ane particular not of the names of these who haue subscrivit the samen, and of those who refuisis and delayes to subscrive the samen, alsweill burrowis as landit persones.

Orderis. *Nixt*, that the noblemen, gentlemen, and otheris, heretouris within ilk presbitrie, at the leist so mony of thame, as efter intimatioun to be maid to them, may convein, and mak choiss of four or mae landit men suorne, or vtheris of good fame and credet, who sall tak exact tryell in just maner, as thay sall think fit, of the yeirlie worth of euerie manis rent and estait, in victuall, money, or vther rent, quhairby yeirlie commoditeis aryses without brughe; and to distinguish the particular rentis of euerie seuerall paroche, and to mak the estimatioun of the victuallis, as thay sall fynd ressonable.

Secundlie, thay must keip the particularis off euerie manis particular rent besydes thame selffis, that the samen be nocht divulgat to there owne nichtbouris amongis them selffis.

Thridlie, the saidis persones sall tak wp and esteim the saidis rentis all as frie rentis, without deduction of ony burdein, except ministeris stipendis and few deuteis, or vtheris dew to his Majestie, as where there ar claussis irritant.

The rentis of byeris and selleris of victuall, and vtheris handleris and traffekeris without brughe, must be estimat according to the stok.

Lifrentaris must pay as heretouris, and there rent givin wp in like kind as heretouris. Consideration must be had whair girsumis ar payit at the entrie, and small deuties thairefter, that there rent may be estimat conforme.

So sone as the saidis persones hes takin ane exact tryell of ilk manis particular rentis within ilk parochin of the saidis presbitreis, thay must set doun ane roll of the parochis within there presbitreis, togidder with the totall soume, *in cumulo*, of the rent of the parochin, alsweill in victuall as in money; quhilk roll must be subscrivit be thame, testefeing the samen to be trew, vpone there honor and credet, according to there knouledge. There is one apointed in everie presbitrie within the kingdome for agenting this bussines, and sie it put to ane spedie and finall conclusioun, who must be ansuerabill to give ane account thairof, and to report the samen to these at Edinbrugh, who salbe intrusted in the commoun bussiness, and that betuixt and the &c. day of blank nixto cum. And for keiping the proportioun dew be the brughis, it is condiscendit that betuixt and the blank day of nixtocum, the maiestratis within the brughe sall mak choiss of thair awin ordiner number and qualetie of the persones vsit in lyke caces, who salbe suorne to mak ane just and trew estimatioun of everie manis rent within there brughe, burgage land, and tred (there duelling houssis exceptit) and give wp the samen in particular to the foirsaidis maiestratis, who salbe oblegit to report the samen, *in cumulo*, to these who sall reseid at Edinbrugh, wnder the saidis maiestratis handis, on there honour and credet. Orderis. Treddaris to pay.

And for eschewing the discoverie of everie manis estait within or without brughe, quhairby there credet may be ingageit, it is to be rememberit that everie man must pay for his rent (except the ministeris stipendis and few duteis foirsaidis) as frie rent, without ony burden of debt, valued bollis, or vther deuteis quhatsumeuer; for recompenss quhairof, everie debitor sall haue retentioun from his creditour of ane proportionall parte, according as the compositioun salbe laid on, and the anuelrent salbe frie of ony vther payment for that ferme out of whiche the said proportionall parte salbe deducit, and sall not be stentit for the samen, whidder he duell within or without brughe; providing aluaes, that incace the said anuelrent be not payit yeirlie, at the leist within thrie monethis thairefter, there salbe no retentioun of the said proportionall pairt; the lyke proportionall retentioun is to be had for the valued bollis or vtheris burdinges or debtis payit out of there landis or rentis.

And lest the said commoun releif sould be henderit or delayit in any sort, it is condiscendit, that if the report sall not cum fra the parochis, presbitreis, or brughis, at the day prefixit, in that case it is determinat, that those who sall haue trust in the commoun effaires, sall haue pouer to impose vpone the saidis parochins, presbitreis or brughis, suche proportionall pairt as thay sall think expedient. Sua we intreat yow sie these thingis done, as we salbe your assured freindis. *Sic Subscribitur*,

Argile, Montroiss, Eglintoun, Rothass, Cassellis. Thair subscriptionis.

Edinbrugh, 18th Januar, 1640.

Ane ambiguous band.

The foirsaid ambiguous and blankit band effrayit many fra the subscriveing thairof, as done without warrand of his Majestie, or be auchtoritie of the parliament, set furth be subiectis vpone subiectis, quhilk aucht not to haue ony obediens, nor men to give out there geir vpone sic lawles statutes. Vtheris agane of the covenant yeildit more willinglie, and wes content to subscrive and contribute to the good causs, (suppose aganes thair willis if thay durst have avowit it). Thus this band and informatioun cam to Abirdene about the thrid day of Februar, as is befoir said. Thay went to counsall and concludit, that what the kingdome and rest of the burrowis wold doe, the toune of Abirdene sould do the lyk. Sie more heirefter, folio 179, and on the vther syd heirof. Yit treulie no trubbill followit vpone the subscriving of this band, as wes lookit for; yit Abirdene payis well, as ye may sie heirefter, folio .

Set out be subiectis vpone subiectis.

Men is sore effrayit. The covenanteris seimis willing.

Abirdene gois to counsall. There ansuer.

Lodovick Gordoun gois to his father with moneyis.

Vpone the 14th of Februar, Lodouick [Gordoun] cam into George Middletouns hous in Old Abirdein with trvnkis and money, to be careit to the Marquess of Huntlie his father, now at court in England. He schippit at Abirdene, haueing the laird of Cluny and laird of Foverane, with sum vtheris in his company, vpone Good Frydday, the 3rd of Aprile. Sie more of Lodovick heirefter, folio .

The covenant, explanatioun and ratificatioun red.

Sonday, 16th of Februar, Doctor Goold red out the covenant in New Abirdein efter sermon, with the assemblie of Edinbrughes explanatioun, and the Erll of Traquhair his Majesteis commissioneris ratificatioun of the samen, and approbatioun of the counsall, and exhortit the people to subscrive and sueir the samen.

The Famelie Exerceiss.

Doctor Scrogie, vpone the samen Sonday, in Old Abirdein, efter sermon exhortit ilk maister of famelie to the imprinted Famellie Exerceiss, morning and evning, quhilk sum wes vnhable to do, vtheris not capabill to reid.

The Erll Marschall, and Lord Fraser cumis to Abirdein to sie this new covenant and band subscrivit.

Vpone Mononday, the 2nd of Marche, the Erll of Marschall and Lord Fraser cums in to Abirdein, about 16 horss, lodgit in skipper Andersonis hous, and gat the wyne and cumfettis fra the toun. Thair erand wes to sie this new explained covenant and band subscrivit be the touneschip. [The] drum gois chargeing them all to convein within the tolbuith of Abirdene, whair Mr. Dauid Lyndsay, persone of Balhelvie, Doctor Goold, and Robert Keith, schiref deput of the Merniss, wes direct be the lordis to attend thir sub-

scriptionis, bot thameselfis baid in there lodginges. Now the prouest, balleis, and haill counsall (except Mr. Thomas Gray, ane of the balleis, Thomas Couk, Adame Gordoun, and George Morisoun, thrie of the counsall) being all pryme covenanteris (and for that caus put in office) cam in to the tolbuith and subscrivit the samen explanit covenant, and sueir also and subscrivit the band formerlie exprest; bot the foirsaid four wold onnawaies yeild thairto. George Pyper, Magnus Robertsone, and Williame Ord, thrie of the deaconis of croftis, sueir and subscrivit to brak the iyse for the rest. Mony vtheris, both burgessis and craftis, sueir and subscrivit; vtheris constantlie refuisit, whose names war nottit. There cam also in sindrie barronis and gentlemen to the toune, sueir and subscrivit the same. At last the Erll Marschall and Lord Fraser commandit the prouest and balleis to sie the haill toun sueir and subscrive in forme foirsaid, quhairof sum wes absent, and sum took to be advysit, and vther sum had suorne and subscrivit, or vtheruaies to tak wp the names of the refusearis, and so the lordis, vpone Wednisday the 4th of Marche, rode home; sie heirefter, folio . Bot befoir thair way going, the Erll Marschall caused Walter Robertsone, towne clerk, produce ane band of allegians, subscrivit at command of the Lord Oboyne be the brughe of Abirdein, as ye haue befoir, folio 134; whairin thay oblegit thame to stand and abyde be the King in all fortouns, aganes whatsumeuer vther factious and seditious persones, not to disobey his command, bot submit in all obedience, nor enter in ony covenant, as is at lenth set doun at folio 134 foirsaid. This band wes consignit, be commoun consent of the Lord Aboyne and toune of Abirdene, subscrivers thairof, in the keiping of the said Walter Robertsoun. The Erll Marschall getis word of this band from sum of the covenanteris who had subscrivit the samen, and quhilk thay wold, for there owne honestie, haue sein distroyit. The Erll sendis for the toune clerk, craves this band, quhilk he refusit to him, bot deliuerit the samen to Patrik Leslie who promesit to warrand him; and the said Patrik delyuerit it to the Erll, who immediatlie rave and distroyit the samen, that it sould never be kend what covenanteris war the subscriveris; and syne he with the Lord Fraser depairtit from Abirdene in maner foirsaid.

Abirdein is convenit. Thay subscrive except few.

Thair names nottit that refuissis.

Ane band of allegiance subscrivit to the King.

Is deliuerit to Marshall, distroyit and reuin at desire of the covenanteris.

Ane fisher boit of Futty perishis.

Vpone Thuirsday 5th Marche, ane fishe boit of Futty haueing ane skipper and four men, going out to pilot in ane Dundie schip (in stress of wedder) to the harberie, brocht hir in saif and sound be conduct of the skipper, who, howsone he burdit the schip, sendis bak his owne boit with four men, who, in thair rolling hame to oure harberie, the boit perishis, thrie men drownis, and the fourt found with litle lyf. Thus is Abirdein wrackit both be sea and land, and all for our owne synis.

Patentis to Northumberland.

Now word cumis to Abirdene that his Majestie had directit out his letteris patent to the Erll of Northumberland to be capitane generall over his Hines forces, both be land and sea. Of the quhilk patentis, one after another, the tennour followis:—

Charles Rex.

The Kingis patent to the Erll of Northumberland to be capitane generall.

To oure richt trustie and weilbelouit cusing and counsallour, Algernon, Erll of Northumberland, Lord Heiche Admirall of Ingland, and knight of the most noble ordour of the garter: We haue ordaned and do heirby ordane yow to be capitane generall of oure army, to be levied bothe in our kingdome of Ingland and dominioun of Wales, and to be joyned to our forcess in Scotland; and therewith, bothe to resist and with stand all invasiouns, tumvltis, seditiouns, conspiraceis, or attemptis that may happin within our said kingdome or dominioun of Wales, or to be maid aganist oure persone, stait, and saifty, croun and dignety; and also to be led intill our kingdome of Scotland, thair to invaid, assault, repell, resist, fight with all, subdew, slay, and kill all and everie one of our enemeis aganist ws, of what natioun so euer, within our said kingdome of Scotland or ony pairt thairof, (with seuerall claussis more fullie nor the Erll of Arrundaillis) to assemble and bring togidder what forces he thinkis fitting, alsweill of the armed bandis as of otheris, to creat collonellis, capitans, &c., to transport his forces by sea and land, to mak proclamationis, to grant pardon, to execute martiall lawis, &c.

Charles Rex.

The Kingis patent to the Erll of Northumberland o be capitan generall.

To our trustie and weilbelouit cousing and counsallour Algernon, Erll of Northumberland, &c., Wee, out of the experience of your approvit wisdome, valor, fidelity, and grite habilitie, haue ordanit yow our Admirall, to be capitane generall and governour of oure fleit royall, of our sea forces, and all our schipis, pynnages, &c., with seuerall claussis, to fight with any prince schippis not in ametie with ws, or ar enemy to ws, and to synk, distroy, burne, and tak, or boord any sic schippes, and the persones thairof to slay, kill, put to deathe or pardon as your wisdome sall sie good.

Both thir patentis ar daitit the 15th of Februar, 1639, according to the English computatioun, becauss thair yeir changes not quhill the 25th of Marche, bot with our computatioun in anno 1640. The daitis.

Thir patentis war abruptlie coppeit in Edinbrugh, and send to Abirdene. Sum judgit thame falss and fabulous, vtheris thocht them over trew, ilk man had his awin opinioun, and mony stood in gryte feir. Howsoeuer the mater wes, this Erll refuisit to accept thir offices; and in the Kingis owne presens, and face of parliament, laid doun his battoun of his office of admiralitie, quhairat the King wes heighlie offendit; bot this Erll wes vtheruaies set, being for the parliament all the way, as may heirefter be sein; and he no sooner quytit the admiralitie bot the Erll of Warvick, at his owne hand, mellit with the samen office, but consent of the King, as heirefter appeiris, folio . And the deputie of Ireland acceptit vpone him to be capiten generall of his Majesteis army be land; sie the 26th leaf of the charge of the Scottis commissioneris aganes Canterbury and luftennand of Ireland. Many judgis of thir patentis. Northumberland refuissis to accept. The King is offendit. Warwick mellis with the Admiralitie. The Livetennand acceptis. This Scottis charge is lying inprintit besyd myself.

It wes said the King had indictit ane parliament to be haldin in Ireland, and to sit doun the ellevint of Marche, 1640, be the lord deputie thairof. Efter thay convenit, thay condiscendit to levie aucht thousand men for the Kingis service, no doubt be the deputeis persuasioun, who wes absolutlie for the King; and thus this parliament schortlie endit and raiss wp. Ane parliament in Ireland. Thair effaires. Thay ryss.

The King likuaies had indictit ane parliament to be haldin in England, and to sit doun at Wastminster the 13th of Aprile, 1640. Ane parliament indicted in Ingland.

The King wes in a maner compellit craftellie to indict this parliament, whiche bred him great sorrow, as efter yow sall heir, vpone tuo contrarie endis; the King seiking reparatioun of the Scottis, thay his English subiectis seiking ane parliament for reformatioun of kirk and pollicie, according to the forme and maner concludit betuixt the houss of commonis and sum nobles of England, and sum of oure nobles and clergie of Scotland, in ane clandestyne covenant maid betuixt thame, quhairby oure churche government and state government sould in both nationis be alyk and in one. The King, ignorant of this bussiness, and taking none to be the traittouris and beginneris of this reformatioun bot the Scottis, deallis with the English to assist him aganes thame. Bot thay ansuerit, without Craftellie prolected. Diuerss endis. Clandestine covenant.

ane parliament that [thay] could not condiscend to the raising of war and his Majestie loth to grant ane parliament, for diuerss good ressones. Yit he is compellit, looking to get his will over the Scottis, to grant ane parliament, quhilk did him litle good, bot bred him gryte trubbill, as efter ye sall heir.

His Maiesteis desire and intentioun.

He is far disapointed.

Aluaies, he indictis ane parliament. Thay sit doune the foirsaid 13th of Aprile at Wastminister. The first article that cam in (his Majestie looking thay sould haue begvn at the raising of ane army aganist the Scottis) wes vpone the incuming of the Spanish Armado defeat in Downes. The King declairit he knew nothing of there cuming, nor of there intentioun; the estaites being wnder deidlie suspitioun of his Majestie, and that thay war send (be his knouledge) by the Pope and the King of Spayne to assist the papistis of England.

The first article touching the Spaniss Armado.

The Kingis ansuer.

Aluaies his Majestie haueing pvrgit him self, he craveit ane subisidie of men and money to warr vpone the Scottis. The over houss, for the most pairt, and bischopis, wes content. The lover houss send wp to the vpper houss (befoir thay wold condiscend) ane commissioner with thrie articles. 1. Sattilment of religioun. 2. Privilege of Parliament. 3. Richt of subiectis. Quhiche articles his Majestie wold onnawayis heir, since he alledgit it wes not for this causs he indictit ane parliament, bot onlie to haue gottin pouer to subdew the Scottis, quhilk being done, that then thay sould haue there desires, bot thay (vtheruaies set and oblegit) wold nather call nor dryve. Quhairvpone the King, in gryte anger, raisis this parliament, bot ony more ado. It wes vehementlie suspected the Duke of Buckinghames factioun, the archibischop of Canterburry, and diuerss papistis, had bein vpone the inbringing of this armado, ather for to haue cum to England or then to Scotland. Aluaies, this parliament is brokin wp by persuasioun of the livetennand of Ireland, as ye may sie on the imprinted paper (lying besyd my self) callit *The charge of the Scottish commissioneris aganist Canterburie and the livetennand of Ireland, &c*, folio 26, and how he procured himself to be capitane-generall, quhilk the Erll of Northumberland had abefoir refusit, as ye haue, folio 177. The parliamentaris seing the parliament (so happellie indicted to there mynd) broken wp so suddantlie aganist there expectatiouns, becam heichlie offendit. Aluaies, be-

The King cravis ane subsidie.

The lower houss 3 articles.

The Kingis ansuer.

He raisis the parliament as ye sall sie heirefter folio

Suspitioun anent the Spanish Armado.

The parliament offendit.

foir this parliament wes raisit, there wes sum charges givin, sie heirefter, folios 183, 184, aganes sum nobill men and aganes the Erll Argyll; sie, folio 189, of the raising of this parliament vpone the fyft day of May. It sat doun the 13th of Aprile, and raiss wp the foirsaid fyft day of May, folio 189 heirefter, as is formerlie said. Charges aganes sum nobill men of Scotland.

Doctor Gordoun, medicinar, and ane of the foundit memberis of the colledge of Old Abirdein, and commoun procuratour thairof, depairtit this lyf vpone the tent of Marche, in his owne hous in Old Abirdein; a godlie, grave, lerned man, and singular in commoun warkis about the colledge, and putting wp on the stepill thairof most glorious, as you sie, ane staitlie crowne, throwne doun be the wynd abefoir. Mr. Robert Ogiluy, subprincipall, chosin commoun procuratour of the said college in his roume. Doctor Gordoun deceassis. Mr Robert Ogiluy commoun procuratour.

Vpone the day of Marche, the Erll Marschall compellit the toune of Abirdein to pay 600 merkis money, for mantenans of about 24 capitanes and vther officiares, who had lyin and wynterit in New Abirdein. Thus is this toune oppressit grevouslie. Abirdene payis 600 markis.

In this moneth of Marche thair cam ane imprinted paper to Abirdein, intitulat *Ane Informatioun from the Estaitis of the Kingdome of Scotland to the Kingdome of England.* Ane informatioun to England.

In this paper is set doun diuerss and sindrie heidis: 1. The forme of the confederatis thair procedure, justefeing thair covenant to be lauchfull according to the lawis of Scotland; willing, therefore, thair nightbour kingdome nocht to square there doingis be the Englishe lawis, nor to tak midling betuixt thair King and them in state materis, more nor thay do betuixt thair king and thame in state materis within England. 2. Thay fynd fault with the Erll of Traquhair anent his behaveour at our parliament, being the Kingis commissioner, and of sum speiches spokin be him in presens of his Majestie and counsall of England. 3. Thay find fault for putting of sum of the lordis af of counsall, but heiring or tryell, as ye haue befoir, folio . 4. Thay find fault with the copper cvngzie passing for tua pennies, of litle or no worth. 5. Thay find fault with ane treatise alledgit set out be maister Walter Makchanchell, garnishit, as thay alledgit, with 2000 calumneis and lies, and that thay could not get him lyable to the censur of the Scottish lawis for this his slanderous writting. Thair is diuerss vtheris regraites concerning The heidis thairof.

bothe churche and pollicie set doun in this paper; and with all thay vse ane freindlie admonitioun touardis Englishmen, wissing thame onnawayes to move warr aganes the Scottis, lest the papistis tak the advantage of there waikness, and subdew this iland to poperie. Thir ar sum of the particular heidis of this paper, quhilk wes imprintit; and ane Scottisman callit James Colvill sent out of purpoiss with about 2000 of thir paperis to England, there to dispers and spred the samen throw the countrie, to mak there causs good, and thair grevancess intollerabill. The King heiring of this, takis it heichlie, causis apprehend the spredar thairof, James Colvill, and wairdis him for dispersing of sic seditious pamphletis; yit set to libertie, sie heirefter, folio 185. Now many of our tounes people (who stood out befoir) subscrives the generall band of releif, sie more heirefter, folio 183 and folio 187.

James Colvill dispersis this paper.

The King is offendit.

Colvill is wardit.

Yit put to libertie.

Abirdenis outstanderis subscrives.

Maister Walter Bakchanchell wreitis ane tretiss.

This maister Walter Makchanchell wes laureat doctor, and ane lernit man, who leivit and servit the King as one of his chaplains. He attended the generall assemblie holden at Glasco, and markit thair procedure punctuallie. Whairvpone he took occasioun to wreit ane treatiss, declairing the plotteris and proiecteris of this covenant, the order and procedure of the assembly foirsaid, there actis, ordinances, citationis, deprivationis of bischopis, excomvnicationis, and the rest, to be altogidder vnlauchfull, aganes the lawes and auchtoretie of the Kingis Majestie; and offerit him to verifie and prove ilk particular of there procedure, nowayes warrantable be law or auchtoretie, or suld subsist as lauchfull, as is at gryte lenth set doun in his printed treatise, as report went.

It greives the confederatis.

Thay labor to get him.

Bot howsone this peice cam to licht, it inraged the confederatis in sic sort as thay culd get no rest whill thay had him (being a Scottisman) censurit thairfoir, and wreit to his Majestie, as is befoir nottit in the informatioun. Bot he fled to the King for savegaird, who (insted of sending him into Scotland, as the confederatis desyrit) preferrit him to ane Englishe benefice of ane thousand pund stirling to leive vpone, becauss he durst not byde in Scotland, and wes dean of Durhame. It is said this treatise he dedicat to the King him self.[a]

The King preferris him to be Deane of Durhame.

[a] This refers to the well known work, written by Dr. Walter Balcanquall, entitled 'A Large Declaration concerning the late Tumults in Scotland, &c., by the King.' London, 1639, fol.

In this moneth of Marche, Edinbrugh beginis to haue ane strong watche of aboue 400 men nightlie. Thay raiss fortificationis to defend the toune aganes the violens of the castell. Thay raiss midding montis vpone the calsay, and fillis wp sindrie houssis with sand and water to resist fyre warkis. Thay set thair ingyne to do what could be done to withstand the furie of the castell cannon, as occurrit. Thay set 200 men on watche in Leithe. Generall Ruthven, heiring of thir doinges, sendis doun to the toune of Edinbrughe in wreit fyve articles. 1. To cast doun sic fortificationis as wes biggit. 2. To desist and leave af from all forder building. 3. Not to muster there men daylie in sicht of the castell, as thay war indeid daylie doing. 4. To discharge there daylie dreilling within the toune. 5. To send in men and materiallis for repairing of sum fallin doun wallis within the castell, vtheruaies to be vpone thair garde. It is said the toune discharged mustering befoir the castell, and that thay war content that capitane Scrymgeour sould cum doun and mak interruptioun to the bigging of there montis, be casting doun thrie or four schoollis full fra the wark, quhilk wes done, and thay send in men and materiallis for helping of the wallis within the castell, and a peace takin wp in the mein tyme, quhill both the toune and the castell aduertisit the King, and ilk ane send vnto him seuerall messingeris to that effect; and in the mene tyme, for a certane space, trewis wes takin wp betuixt the toune and the castell, as is formarlie said; bot befoir any ansuer cam fra the King, the trewis expyrit. Quhairvpone the toun of Edinbrughe began agane to there fortificationis, raisit midding mountis at Hereotis wark,[a] and vpone the hie calsey, and at sindrie vther pairtis within and about the toune, for thair defenss, stellit cannonis on ilk ane of thir montis for persute of the castell. Quhairvpone the castileanis began to schoot at the toun with gryte schot, bot did no skaith; the tounes people not schooting agane, but suffering patientlie, and complanit be thir letteris vnto the King for this persute. Generall Ruthven thocht he had good ressone for what he did, not onlie for raising of there fortificationis, bot also for refuseing him freishe

Edinbrughe beginis to watche.

Midding montis.

Leith watchit.

Ruthvenis 5 articles fra the castle.

A peace.

The peace expiris.

Edinbrugh fallis to wark.

The castell schootis.

And ressons why.

[a] Probably the buildings of George Heriot's hospital, which were in the course of being erected.

meites; quhairvpone sum of his soldiouris stall away over the wallis, vtheris of the English soldiouris fell seik in the flux. Now Edinbrugh intendis to wndermyne the Spur, thairby to tak in the castell, bot thay wan nothing thairat. Letteris wes daylie intercepted, quhairby the castileanis hard no word fra the King, becauss Edinbrugh laid wait for sic letteris.

Soldioris seik in the flux.

The spur.

Letteris intercepted.

Word cam to Abirdene, about the last of Marche, that the Erll of Southesk, maister James Fairlie, bischop of Argile, schir Lues Steuart, aduocat, Mr. James Gordoun, keipar of the signet, Mr. James Farquhar, writtar to the signet, Mr. Robert Patrie, agent, with diuerss vtheris, about 24 persones, war all takin and apprehendit in Edinbrugh as enemeis to the confederatis, as thay alledgit. Thay war all wardit in tounes menis houssis of Edinbrugh, yit nichtlie watchit that none sould go out nor cum in by there knouledge, becauss thay war all ante covenanteris. Many mervallit at thir proceidinges how the Kingis subiectis sould be takin and abusit be subiectis, but auchtoretie of the King, law or ressone. Aluaies, whidder thay wold or not, thay behovit to cum in sueir and subscrive the covenant befoir thay war put to libertie, togidder with the band of releif. Thairefter, the (new styllit) estaites sendis the said Erll of Southesk to England with ane new imprinted informatioun, to informe thame of England of our bussines. Schir Thomas Thomsone wes also takin. He cumis in, sueiris and subscrives the covenant and band of releiff. He is put vpone the counsall, thairefter trappit for sending sum of the Kingis letteris privatlie to Generall Ruthven in the castell, quhairat the estaites wes heichlie offendit, he sitting at there counsall Table; for the quhilk he is laid fast in the ironis in the tolbuith of Edinbrugh, and thairefter put to libertie, and had to the Boull rod with the rest, sie heirefter, folio .

The Erll of Southesk, the bischop of Argile, schir Lues Steuart, and otheris wardit.

Many mervallis at there warding.

Thay subscrive the covenant, and ar put to liberty.

Southesk send to England.

Schir Thomas Thomsone subscrives.

He is laid in the ironis, put to libertie, and had to the Boull rod.

Vpone the second day of Aprile Doctor Goold, rector of the Oldtoun colledge, with sum maisteris and memberis thairof, had ane meiting, quhair sum of the regentis had there stipendis augmentit. Mr. James Sandilandis dimittit his place as canonist with gryte subtilitie, becaus our kirk wold not let him bruke it, nor suffer the canon lawis to be teichit. Aluayes, he fyndis out moyan to be civilist, to mak wp commoditie for licht seruice, quhairat the col-

Mr. James Sandilandis dimittis his place to be canonist.

His convoy, and subtilitie.

ledge memberis still grudgit, he being commissare clerk of Abirdein, to be ciuilist also, sie befoir, folio 165.[a]

Frydday, or Good Frydday the thrid of Aprile, no preiching nor commvnioun in either of the Abirdenis, as wes vsit and wont, nor

No commvnion on Good Frydday, nor Pash day.

[a] 'At the Kingis Colledge, the first day of Appryll, 1640 zeiris, convenit Mr. William Guild, rector, canonist, supprincipall, grammarian, Doctor Patrik Dun, Doctor of medicine, and Mr. Wm. Moir, bailzie of Aberdeine, tua of the assessouris, Mr. Alex. Gardyne, regent.

The rector, assessouris, and memberis haue electit and chosin Johne Barclay procuratour for the natioune of Angus, George Baird for the natioune of Murray, George Midiltoune for the nation of Mar, and Patrik Sandilandis for the natioune of Louthian, all studentis in the colledge, to the effect eftir specifeit; quhilkis nationall procuratouris acceptit the said office in and wpone thame, and gave ther aithis *de fideli administratione*.

The said day, Mr. James Sandilandis, canonist, personallie present, dimittit his office and chairge of the cannon law, to the effect the rector, nationall procuratouris, memberis, and assessores, being willing that the said office of the cannon law, with the haill benefeit and profeitis theroff to the professioune of the civill law, now waccand be dimissione of Mr. Roger Mowatt, advocat, last civilist, in the persone of the said Mr. James, micht proceid to ane formall electioune. The quhilk dimissione wes maid be the said Mr. James, wpone the speciall provisiones and conditiones following: To wit, that he be formallie and lawfullie presentit and admittit to the said office of civilist, and be prowydit to the haill profeittis and emolumentis, quhilk abefoir appertenit to him as canonist, and is equall with the subprincipall or grammarian ther provisione; and lykwayis wpone conditione, that iff any question, truble, or molestatione suld [arise] in his peacabel bruiking of the said office, and benefitis, and emolumentis foirsaid, that he sall hawe full access and regres to the said office of the canon law, and haill benefeit and emolumentis thairoff, notwithstanding of his dimissione foirsaid, quherwnto thir presentis sall nowayis be prejudiciall; quhilkis conditiounes and prowisiones forsaid, the said rector and memberis acceptit and allowit. The assesouris, nationall procuratouris, and memberis forsaidis, electit and choosit the said Mr. James Sandilandis professor of the civill law, with the fruitis and emolumentis foirsaidis, during his lyftyme, quha acceptit the said professioune in and wpone him, wpone conditioune and provisioune foirsaid, and gave his aithe *de fideli administratione*.

The said day, the rector, assessouris, and memberis forsaidis, have decernit and ordanit, that the present regentis sall have ther zeirlie stipendis augmentit, according to the proportioune of the subprincipallis present stipend and auld fundatioune, viz., of new augmentatioune, to ilk ane of them fourtie pundis mony for elewin bollis wictuall convertit, tualff pundis silver, and tua bollis beir *ipsa corpora*, by and attour four bollis bear and fourtie aucht, with thair buirdis auld stipendis, making in the haill the sowme of ane hundrethe pundis money and sex bollis beir, by ther buirdis foirsaidis; quhilk the commoun procuratour is ordanit to ansuer thame be assignatioune, according to the accustumat forme. The silver at tua termes in the yeir, Mertimes and Witsonday zeirlie, be equall portiones, and the bear befoir Pashe zeirlie, begining the first zeris peyment of the said stipend at Mertimes last and Witsonday nixt, of the silver and of the bear befoir Pashe nixt, and that for ther service as regentis, from Michaelmes last to Michaelmes nixt.' (Minute Book of King's College.)

yit givin on pash day; bot wes givin thairefter in New Abirdein (bot not in Old Abirdein) vpone Sonday 26th Aprile.

A stormy ait seid.

Gryte frostis and snaw in this ait seid tyme, no plewis going, and litle seid sawing, (so vehement wes this storme) aither in Marche or Aprile.

Deir peitis.

No peitis culd be had to burne, for ane lead wold haue cost 13s. iiijd., quhilk wold haue bene coft vther yeires for ijs.

The ressone.

The browsteris left af to brew for want of fyre. The ressone of this scarsetie wes, becaus the covenanteris cuming heir in Marche, 1639, causit the haill seruandis, who suld haue cassin the peites for serving of both Abirdeinis, flie out of the countrie for feir; and so not onlie wes oure peites deir, bot, throw the vnseasonableness of the spring, the victuall also becam veray deir.

Deir victuall.

It is said, that about the fourth of Aprile ane lion herauld, accompaneit with James Philp, now clerk to the secreit counsall, cam to Dunnottar, and chargit the Erll Marschall personallie to compeir befoir his Majestie and his parliament of England, at Westminster, the 13th of Aprile, to heir and sie our Scottis commissioneris (now lying at court) receave an ansuer to there supplicationis, and for sic vther ressones as wes contenit in the charge, wnder the pane of tressoun; and vpone this charge the herauld took instrument in the said James Philpis hand, who wes send with him for that effect. The Erll welcumit the herald, desyrit him to stay and drink, quhilk he wold not do, bot tuke his leive. It wes also said that this herauld had givin the lyke charge to diuerss vtheris nobles, sic as the Erllis of Rothass, Montrose, Cassallis, Kingorne, Argile, Generall Leslie, the Lordis Lyndsay and Balmyrrinoche; bot thay all disobeyit the charge, and, vpone thair owne ressons, made protestationis aganes the same, sie folio 184.

The Erll Marschall chargit to the parliament of England.

The ressonis.

Sindrie vtheris chargit of the nobilitie.

Thay all disobey this charge.

Felt Leslie is againe chosin generall.

About this tyme, Felt Marschall Leslie is again chosin generall of our Scottis army, and the nobles, barronis, burrowis, clergie, and gentrie sworne to follow him as there generall.

Abirdene now subscrives.

Many of the tounes people of Abirdein yeildis now, and subscrives the generall band who stood out befoir, sie folio 186.

The Erll of Morray goes south.

Vpone the day of Aprile, the Erll of Morray establishit his onlie sister in the duelling hous of Elgin, and gave order for keiping of hir houss in honorabill maner. He gaue to hir the haill jewellis

and goldsmith work belonging to hir defunct mother. He keipit hir poiss himself. And, efter satling of his effaires, he goes directlie to England, bot schortlie thairefter the laird of Grant is quyetlie mareit to the said lady Mary, but aduyss of hir brother (being absent) or any vther of hir freindis. His sister mareis the Laird of Grant.

It wes reportit that capitane of the castell of Dumbreton, vpone his deidbed, revellit ane plot devysit for taking the lives of the erll of Argile and sum other nobles, quhairvpone he causis take M'Lean and ane vther, wairdis thame in the castell of Carrik, whill the mater sould be tryit, bot no sic thing found trew. Aluaies capitane Hendersone is admittit capitane of Dumbreton. Ane falss revelatioun. Sum ar wardit. Capitane Hendersoun is capitane of Dumbartane.

Vpone the day of Aprile thair cam out of Holland thrie gryte schippis to Leith, with pulder, ball, and ammunitioun to the covenanteris. Thus the King is oblegit to Holland. Pulder, ball, and ammunitioun.

Mr. Johne Peter, minister at Sanctandrois Kirktoun, in Morray, about this tyme is deprivit for not subscriveing the covenant. Mr. Johne Peter deprivit.

The King causis put in garisounes within the toun of Bervick, about this tyme, for his owne seruice, as wes reportit, about 2000 soldioris. The King putis garisounis in Bervick.

Frydday the 17th of Aprile and Sonday thairefter, a fast solempnandlie keipit befoir and efternones within New Abirdein, bot no fast keipit heir in Old Abirdein, becaus Doctor Scrogie receavit no aduertisment thairof in tyme.[a] Fast and prayer.

The foirsaid 17th of Aprile a gryte meiting keipit at Edinbrugh be the covenanteris. Mr. Alex[r] Joffray, commissioner for Abirdein, wes there, and many vther commissioneris. A meiting at Edinbrugh.

Yow sie befoir, folio 161, sum order taking with the passing of turnouris, quhairof sum wes apointit to pas for ane penny, bot now thay wold giue nothing, penny nor half penny, for King Charles No passage for King Charlis turnouris.

[a] Upon the 17th day of April ther was a solemne fast and supplications celebrated in New Aberdene, whither also I went, and did participat in that holy action with much comfort, praised be God. I heard Dr. James Sibbald preaching vpon Hebr. 3, 7, 8, &c. His discourse did most runne vpon the hardnesse of heart, which hath ever with it blindnesse of the mynd, according to the Lord's words in the 10th verse of this chapter: 'Thay doe alway erre in their hearts, and they haue not knowne my wayes.' After him preached Mr. Robert Dawnie, vpon theise words of John the baptist to the Pharisees and Sadducees: 'O generation of vipers, &c. Matt. iii., 7. (Diary of Dr. Forbes, fol. 114.)

turnouris, bot King James turnouris onlie sould pass. Quhairby all chenge and tred wes takin away throw want of current money, becaus thir slicht turnouris wes the onlie money almost passing throw all Scotland. Sie more heirefter, folio .

It brewis gryte harme.

The Erll of Striviling deceasis.

About this tyme, the Erll of Striviling departit this lyf at London, who, for all his court and accedentis, left no gryte meinis nor frie estait behind him. The Erll of Lanerk, brother to the Marques of Hammiltoun, and schir James Galloway, fell coniunct secretaris in his place, for he wes both secretar of Scotland and secretar of the Scottis counsall at England.

Secretaris in his place.

The King sendis ane letter to Edinbrugh, with ane proclamatioun,

About this tyme the King send doun ane letter to the prouest and balleis of Edinbrugh, with ane proclamatioun, beiring that it wes his Majesteis will to discharge the Erll of Argyll of his justiciary of Argyll and Tarbet; and that none of the Kinges leiges and good subiectis sould ansuer and obey him, the said Erll, in taxes, fewdeuteis, or vtheris homages belonging thairto, ay and whill he sould compeir personallie befoir the parliament of England, to ansuer to sic thinges as war to be laid to his charge. Lyk as, the King commandit the foirsaidis prouest and balleis to causs proclame thir letteris at the marcat cross of Edinbrugh, under all hiest pane and perrell. Thay advyss with the counsall table, and wreitis bak to his Majestie, that, in sic troublous tymes (the countrie being in vproar, effrayit with the incuming of sea and land armyis, and also with the daylie thretning of the castell of Edinbrugh) thay durst scarslie hasard to mak any sic proclamationis aganist the persone of sic ane pryme noble man; besides, it wes not agrieable to the Scottis lawis, to deprive him of his estait or digneteis bot be advyss of counsall and Scottis parliament, and thairwith no noble man could be assured of his lyf, his landis and goodis, if this past as ane practique: And forder none of our noblemen is haldin to ansuer bot befoir his awin country counsall or parliament, and to be tryit be his owne Scottis peeris, and not to go to England to wnderly there censur. Thir, with diuerss vther ressones, wes writtin bak to the King, and in sindrie good judgements wes found most ressonable, alledging he can not deprive any noble man of his estait or goodis, bot be tryell of his awin peeris in maner foirsaid. Yit his Majestie had pouer be him self to suspend any noble man fra his offices and rentis,

To discharge the Erll of Argile.

Edinbrugh thair ansuer.

The Kingis power may suspend, bot not discharge.

quhill the mater of his accusatioun war treulie and formallie tryit. And so this proclamatioun wes left on publishit, according to the Kingis desire, see befoir, folio 183.

The thrid Tuysday and 21st day of Aprile, our provinciall assemblie sitis doun within the ssssioun hous of the kirk of New Abirdein; Mr. James Mairtyne, minister at Peterheid, chosin moderatour. Thay try out the non subscribantis of the covenant and band of releif. Doctor Scrogie, minister at Old Abirdein, and Doctor Sibbald, ane of the ministeris of New Abirdein, referrit to the nixt committe, for there out standing; and, with litle more ado, dissolues. Mr. Thomas Melving, minister at Dyss, moderatour of the presbitrie of Abirdein till the nixt assemblie. And, in the meintyme, the foirsaid tuo doctoris, at this meiting, had no voce in this assemblie, and the said Mr. James Mairtyne wes chosin moderatour, to indure whill the nixt assemblie, be the voices of his bretheren and reulling elderis; a noveltie indeid.

Provinciall assemblie sitis doun.

Doctor Scrogie and Doctor Sibbald hes no voiceing, ar referrit to the committe.

The forme of chusing ane moderator.

About this tyme, word wes that generall major Monro wes cuming with ane army to Abirdene to gaird this countrie, be directioun of the (now new styllit) estaites; bot his purposs wes rather to oppress the Kingis loyall subiectis, as heirefter may appeir, quhilk being suspectit be sum barrones heir in this countrie, began to fortifie thair houssis, sic as the laird Drum the place of Drum, the laird of Geicht the place of Geicht, the laird of Banf the place of Inschdrour, the laird of Fedderet the place of Fedderet, the laird of Foverane the place of Foveran, and sindrie vtheris within this land, and furneshit thair houssis with men and mvskat, meit and drink, and vther devysis of defenss agane this Monrois coming; bot he turnit all there doings to nocht, as efter ye may heir, folio .

Generall Maior Monro.

Sindrie barronis beginis to fortifie thair houssis.

Ye hard befoir, folio 184, how the Lord Lovdoun, the schiref of Tevedaill, and Mr. Robert Barclay, wes send to supplicat the King. Now, about the 21st of Aprile, word cam heir that they war all wairdit, and Lovdoun put into the Tower, vpone ane letter reveillit and produceit be the Erll of Traquhair befoir his Majestie, alledgit writtin to the King of France be sum of our Scottis nobles, quhairof this Lovdoun wes one; quhilk letter wes subscribit with there handis, bot not yit delyuerit to the said King of France, bot appeiris to haue been keipit wp be the said Erll of Traquhair, as he who wes vpone

The Lord Lovdoun and the rest wardit.

The resson.

[illegible] counsall at the plotting and devysing of the bischopis overthrow, with the rest, suppose not consenting to vther materis that thairefter fell out, as may be sein heirefter. Aluaies Lovdoun is accusit for subscriveing of this letter with the rest befoir the King, [illegible] the quhilk letter the tennour followis:—

[illegible]

Sr.—Your Majestie being the refuge and sanctuarie of afflicted princes and [illegible], wee haue found it necessar to send this gentleman, Mr. Colvin, to represent [illegible] Majestie the candor and ingenuitie alsweill of oure actiouns and proceidinges as [illegible] intentionis, whiche we desyre to be ingraved and maid notour to the [illegible] worlde and beames of the sone, alsweill as to your Majestie. We most humble beseik yow, sir, to give faith and credet to him, and all that he sall say on oure pairt, touching ws and oure effaires, being most assured of your assistans, equall to your wonted clemencie heirtofoir, and so often shawin to this our nation, whiche will not yeild the glorie to any whatsoeuer, to be eternallie,

Your Majesties most humill, obedient, and affectionat seruitouris,

Sic Subscribitur,

Rothass
Montroiss
Leslie
Mar
Montgomry
Lovdoun
Foster

[illegible]

The King, heiring and seing this letter, wes michtellie and most [illegible] agreivit and astoneishit with thir rebellious deallingis of his [illegible] subiectis. Aluyss Lovdoun is accusit and his subscription schawin, fra the whiche he could not flie, as is alledgit, and [illegible] committit to the tour, and the rest of the commissioners [illegible] wardit besyde, bot being innocent was schortlie put to [illegible]. Bot Lovdoun baid still a whill, as ye may sie, folio 206.

[illegible], the 26th of Aprile, and Sonday thairefter, the com[illegible] sitting, in New Abirdein, and not kneilling; bot now [illegible] givin in Old Abirdein.

[illegible] the 27th of Aprile, the Erll Marschall (haueing sum [illegible] the Mernis, and gatherit sum soldioris) wreittes to the [illegible] and bailleis of Abirdein that he wes to cum to Abirdene, [illegible] that no schip sould go out of the hevin whill his cuming, [illegible] wes vnder feir the tounes ante covenanteris wold flie,

quhilk the prouest obeyit, and took the saillis fra the schipis rayes. Many tounes men, heiring of Marschallis cuming to the toune, takis the flight. Amonges whome Robert Buchane of Portlethen, with his second sone, efter his houss and ground wes plunderit, takis the sea; and so ilk man schiftit for him self, pairt by sea, pairt be land, as thay thocht best. Tounis-men fleis.

Vpone the 5th of May, the Erll Merschall (being about 23 yeires of age, young and stout) cumis to Abirdein about auchtscoir horss, with sound of trumpet, in peciable maner. The Lord Fraser, the maister of Forbes, and diuerss barrones, rode out to meit him. He took wp hous in his awin lodging. Thair wes ane committe chosin to sit in Abirdein, sic as the Lord Fraser, the maister of Forbes, the lairdis of Phillorthe, Monymvsk, Cragiwar, and George Baird of Auchmedden, and fyve vther commissioneris subordinat to thame, to hold ane counsall of warris; quhilk committe and counsall sould sit weiklie in Abirdein at the counsall table, for gyding and reulling of the toune and schire of Abirdein in thir troublesum tymes. And the Erll took thir commissioneris aithis to do nothing bot be his advyss, as he who wes Generall of the north. Ane committe holdin in Abirdein. Marschall takis thair aithis.

In the meintyme thay ordane the toun of Abirdein to subscrive the commoun band of releif, who had not yit subscrivit. The balleis went quarterlie about to causs ilk inhabitant subscrive, quhairof sum wes absent, sum subscrivit, and sum refusit. At last the toune wes compellit to compone, for welth and tred within the brughe and portis thairof, and friedome of the samen, (the landward heritage belonging to burgessis exceptit) for payment to the Erll of 6000 merkis. Thus is the Kingis brughe compellit to pay, for this commoun band, the foirsaid soume, without law or warrand of the King, and is sore crost and vext, as ye may sie, folios 97, 107, 112, 127, 132, 145; and is the thrid tyme now fynit, extending in all to 26,000 merkis, by and attour many and diuerss oppressionis besyd. Abirdene componis, for the generall band, to pay 6000 markis. The third fyne.

Thir thinges done, this Generall or Governour Marschall, vpone the aucht of Maij, rydis bak to Dunnottar, and the rest gois home, and at that tyme dissolues; bot thair wes young Tolquhone, and diuerss vtheris of the name of Forbes, went out to convoy Generall or Governour Marschall a peice of the way. Mr. George Leslie, and Williame Fraser of Bogheidis, both good brether and the

Generallis tennentis, being with the rest in his company, met with the young laird of Tolquhone, and vnhappellie discordit. Mr. George hurt him in the heid vpone Tullochhill; thay ar pairtit, he and Bogheidis ar takin and disarmed, and the governour promeeis satisfactioun to Tolquhone, who took his leive fra him and returnis to Abirdein, and he forduard to Dunnotter, quhair the saidis Mr. George Leslie and Williame Fraser, suppose innocent, war both laid in the ironis. Vpone the morne thay war sent about be sea, schaklit in ironis, to Abirdene, with warrand to the prouest of Abirdein to waird them both in Abirdein, and to caus strik af Mr. George Lesleis richt hand at ane staik, for hurting the said young Tolquhone in the generallis company, aganes the disciplyne of warr. The provest receaves thame, wairdes thame, and causit lovs thair schakles; bot thocht thay war not judge to this pvnishment for sic ane ryot, committit within the schirefdome of Mernis, quhair him self wes schiref, who wes onlie judge thairto. Many people mvrmvrit aganis this rigorus sentens givin out aganist ane gentleman for sic a slicht fault, done also in his awin defenss. Neuertheles the Generall, of his awin auchtoritie, vpone the 18th of Maij, causit fix fast in the calsay at the marcat cross of Abirdein ane stok, and ane aix laid doun besyd it, and ane littill scaffold of tymber bigit about, with ane fyre kendlit to bvrne the blood when the hand wes cuttit af. There wes also ane chear set besyde the stok, and the hangman reddie besyde. The gentilman is brocht from the tolbuith; and as he is cuming doun staires (the people being convenit in gryte numberis about the cross) cryit out pitifullie aganis this cross and crueltie of the gentlemans vsit so rigorouslie aganes him. Alwaies he layis doun his arme vpone the stok, and the hangman reddie to give the stroak; but by expectatioun of the beholderis, the maister of Forbes suddantlie cumis too, and liftis his hand from the stok, and maid him frie, quhairat the haill people michtellie rejoisit He wes had bak to the tolbuith, quhair he wes arrestit at the instans of Mr. James Clerk, and remanit in waird whill the 25th of Junij following, syne put to libertie; bot Williame Fraser wes releivit out of the tolbuith vpone the 25th of Maij, but ony moir dangor.

Mr. George Lesly hurtis young Tolquhon in the heid.

He and Bogheidis ar takin.

Thay ar laid in the ironis in Dunnotter.

Thay ar send shaklit to Abirdein, with warrand to strik aff Mr. George Leslie's hand

Many mvrmvrris.

The prouest refuisis.

Ane stok prepairit.

Mr. George Lesly layis doun his hand.

The maister of Forbes saifis him.

The people reioyis.

He is had bak to the tolbuith.

He is arrestit.

The Generall did this for satisfeing of young Tolquhon, and, as

wes said, he had neuer mynd to tak the gentilmans hand, who wes his awin tennent, bot onlie maid a schow, as ye haue hard, quhairof doubtles the gentleman had certantie, vtheruayes it wold not haue gone but more trubbill, and for Mr. James Clerkis bussines, sie folio .

The Erll Marshallis mynd.

Now the English schippis beginis to tak our merchand schippis, and haue thame to Bervick and Holie Iland, quhair thair goodis war loissit and inuentarit that none suld be loist, and the men lettin go; bot the King wes delvdit heirin lykuaies. He gat liberty to tak our schippis, bot not to mell with our goodis.

Our schipis ar takin, bot our goodis ar keipit.

Vpone the 11th of Maij, wonderfull heiche tempestuous wyndis, mervallous in Maij, quhairby sindrie persones deit, and ane lax fisher drount vpone the water of Done, and ane schip going with vittllis to Dumbartan lykuyss perishit.

Heich wyndis.

Sindrie deit.

Ane Inglish schip, ladint with victuallis for Dumbartane, vnhappellie perishes.

Vpone the 13th of Maij ane mvster in the lynkis of both Abirdeins, maid be command of Governour Marschall. Thay war divydit and of few number, not passing tua hundreth and thriescoir persones, and ane hundreth and tuentie out of Old Abirdein. Thay had thrie capitanes, tua callit Forbessis, and the thrid callit Cruikschank, givin to thame be the Generall, who wont to be servit with there owne commanderis. Aluaies, thay were but few that went out, and sore aganist thair willis. The foot roll is callit, mony ar absent, and ilk man gois home without schooting of ane schot as thay war wont to do, being hairtles and divydit amongis them selffis.

Muster of New and Old Abirdeins.

Thair order.

Vpone the 18th of Maij the Lord Sinckler with about 16 horss cums to Abirdein, lodgis in skipper Andersones, commandit the prouest to watche his lodging all nicht, quhilk wes done. Mervallous how Abirdene is compellit be any subiect but warrand of the King. Aluayes, vpone the morne he rydis to Caithnes, as he who is ane of the tutoris to the pupill Erll of Caithnes, sie heirefter, folio 260.

The Lord Sinkler cums to Abirdein.

His lodging is watchit.

Vpone the 21st of May ane meiting amonges the name of Gordoun at Strathbogie, and diuerss vtheris freindis, amonges whome wes the Laird Drum, consulting anent the cuming of generall major Monro with ane army. Aluaies, thay dissolue, and the laird Drum returning home, hapnit to cum by where the laird of Mony-

Ane meiting at Strathbogy.

Monymvsk horss takin in Drumis company.

mvsk wes in ane moiss, causing cast peitas. He sendis out one named Williame Forbes, brother to Petnacaddell, vpone his best horss, to ask who Drum wes, being about 24 horss; bot throw this gentilmanis owne miscareage he is dismountit, and his maisteris horss takin fra him, and he send on foot to tell the laird tydinges, quhairat he wes michtellie offendit.

Ane parliament.

Now commissioneris writtin for be the estaites, to the Parliament to be haldin at Edinbrugh the 2nd of Junij nixt, and Mr. Alex^r Joffray went commissioner for Abirdene.

The parliament of Ingland is raisit efter indicting thairof.
The ressonis for raising thairof.

Ye may reid befoir, folio 178, how his Majestie had indictit ane parliament in England, lukeing to haue gottin supply of men and moneyis to ryse aganist ws; bot in place of granting his desire, they begin at them selfis, and pleadis for there owne particularis. The King seing how he is vsit so, suddantlie raisis the parliament, and vpone the 5th day of Maij dissolues, quhilk sat doun vpone the 13th of Aprile, and continewit till the said 5th of Maij. Quhairat

English and Scottis confederatis.
Ane new Parliament indictit perforce.
The English bringis in our army to Newcasteil.
The King is compellit to raiss ane army.

the English confederat with our Scottis, tuke offenss and restit never, whidder the King wold or not, to causs him indict ane new parliament, and to that effect brocht in oure Scottiss army to Newcastell, as ye may heirefter sie, folio ; and the King to raiss ane army aganist them, sie heirefter, folio . When all wes done, he is compellit to indict ane vther parliament, to be haldin at Wastminster the 5th of November nixt, quhilk turnit to his Majesteis heich displesour, and perrell of his lyf, and loiss of thrie crownes, as ye may sie heirefter.

Now, remember the English laborit still for ane parliament, quhilk the King wes not willing to grant; bot being grantit, thay slichtit the Kingis desyre to pvnish the Scottis rebelliouns, and labouris to satle him and them in peace to thair contentment, quhilk in end craftelly thay did, sie heirefter, folios 252, 253, 254.

The castell of Edinbrugh begins to schoot. Mony fleis the toun.

The castell of Edinbrughe is now daylie schooting at the toune; few durst keip the calsay, mony fled the toune for plane feir, wyffis, bairnes, goodis, and geir, and sum persones wes schot and slayne deid.

The Erll of Airlie gois to court in Maij.

About this time, the Erll of Airlie went to court to the King, leaving his eldest sone the Lord Ogiluy behind him. Bot in his absence his staitlie castles wes cruellie cassin doun, and his ground

pitifullie plunderit, as ye may heirefter sie, folio 205, sic as Airly and Furtour; quhilk he, be the Marquess of Montroiss assistance, noblie revengit vpone his enemeis, in anno 1644, 1645.

Atholl, Lochquhabar, and Badzenoch, standis out and brakis louss.

Now thair wes diuerss barronis, gentlemen, and countrie people within Atholl, Lochquhaber, and Badzenocht, and hieland pairtis about, who wold not cum in and subscrive the covenant, bot stood out aganist it; and with all brak out, molesting and perturbing all suche quhairof thay micht be maisteris. The Table advertised heirof, gives ordour to the Erll of Argyll to sattill this bussines, who convenis about 5000 men and merched into Atholl. The Erll, heiring of Argiles cuming, sendis commissioneris to him, promesing that he nor none wnder his pouer suld trubbill or molest the countrie; and forder, that he suld concur and assist the good causs to his vttermost; and for forder assureans send aucht hostages, as wes said, principall men and of not, within the countrie of Steuartis and Robertsones. Argile hard the commisssioun, and plesandlie receavit the hostages, and said he sould haue ane cair to keip them; bot wold nowayes grant assureans of peace to the Erll of Atholl, whill he sould first cum to him him self. He being aduertesit heirof, resolves vpone sum conditiouns to cum to Argyll, who, howsone he hard of his approche, craftellie sendis out sum men and lay in ambush be the way, and took him and brocht him to the Erll of Argyll, who wes willinglie cuming of his awin will. Bot this wes done to mak Argiles seruice the moir thocht of. Aluayes the Erll, in all haist, sendis the Erll of Atholl and his aucht hostages to the Tables, to abyd thair censur. Vtheris said he send the hostages to Edinbrugh by Athollis knouledge, syne trystis and causit the Erll sueir and subscrive at his plesour, quhilk wes not thocht a fair way. Haueing pacefeit the countrie of Atholl, he marchis into Lochquhaber, as ye haue, folio 206.

Argile gatheris ane army.

The Erll of Atholl sendis commissioneris and plegis.

Argile receavis the hostages, wold grant no assureance.

Atholl cumis in be ane trik.

Argiles policie.

Diuerss reportis.

Argile gois to Lochquhaber.

About this sam tyme he takis Dauid Spaldynge, barroun of Ashintullie in Strathardell, for his loyaltie to the King, and wardit him in the castell of Dunstaffage, whill he payit to him 4000 merkis and subscrivit the covenant. Thairefter he is put to libertie, deceissis but airis of his bodie, to whome succeidit Williame Spaldynge, who for his standing to the covenant, Montrose in his warris,

Dauid Spaldyng wardit and fynit.

His place of Ashintullie is brynt.

as ye haue heirefter, brunt his castle of Ashintullie, plunderit and heiryit his ground pitifullie.

Northumberland refuisis the Kingis service.

Ye heir befoir, folio 177, how his Majestie, be his letteris patentis, had maid the Erll of Northumberland capitane generall of all his forces both be sea and land, and how he refuisit to accept, and that he renuncit his admiralitie in the Kinges owne presens; quhairat he wes displeissit, and schortlie gave the samen charge to

The liveteanand of Ireland acceptis.

the deputie of Ireland, his loyall subiect, who acceptit the samen humelie, as is contenit in ane imprintit treatiss, callit *The Charge of the Scottish Commissioneris aganes Canterbury and the Liveten-nand of Ireland*, at the 26th leaf thairof, and folio 280 of this paper.

Ane herauld send to Dumbreton with ane chairge to rander.

About this tyme the estaites send ane herauld with the Kingis cot armes to the castell of Dumbreton, commanding and chargeing the capitan thairof, callit Schir Johne Hendersone, to rander and give

His answer quhilk he receavit.

over the houss to the estaites, quhilk he manfullie refusit, challenging the herauld that he did by his office, weiring the Kinges armes, and chargeing to rander his maisteris castell, but his awin

His returnis

command, to his subiectis, and that he sould count for this his heiche offence. The herauld wes desyrit to show the estaitis he wold not obey thair charge, whiche he did, bot it wes not long on

Edinburgh is busie making wirking mounts

gryin over, as ye haue, folio 246.

Now the toun of Edinbrughe is veray diligent in making wp middling mounts and vther ingynes to defend the toun fra the cannon

[illegible]

[illegible]

[illegible]

of Abirdein to mak provisioun, vpone thair awin charges, for generall major Monro and his army; quhairwith thay war not weill pleissit, albeit thay durst not disobey.

A sea skirmish.

Tuysday, 26th May, thair wes hard in both Abirdenis schooting of ordinans about Dunnotter, quhilkis fell out betuixt ane English schip and ane Scottis schip, who had fled in amongst the cragis of Dunotter, bot wes burdit be ane frigot, and haillit out perforss to the sea.

The Gordouns writis to Marshall and Monro, bot gat no good ansuer.

The barronis and gentlemen of the name of Gordoun, for the most pairt, (except the lairdis of Haddoche and Straloche, who wold not keip thair meitingis) heiring off major Monrois cuming to Dunnotter with ane regiment of soldiouris, vpone the 28th of Maij, send Mr. James Gordoun, minister at Kerne, with letteris to the Erll Marschall and maior Monro, craveing assureans of peace, and onnawayis to be trublit, since thay thair freindis and followeris wes peciablie set, and not disposit to offend any. Thay receavit and red thir letteris, bot wold wreit none bak agane, bot send this ansuer: No assureans of peace except thay wold all cum in, sueir and subscrive the covenant, and to obey what forder sould be injoynit to thame for forderans of the good causs. Mr. James Gordoun returnit and told thair ansuer, quhilk the Gordouns took in evill pairt, as thay had ressone, sie folio 210.

The Gordonis was not content with the ansuer.

Drum, Geicht, Fedderet, fortifeis thair houssis.

The lairdis of Drum, Geicht, and Fedderet, now begins to fortefie thair houssis, bot maid no sted, as ye haue, folios 198, 199.

Abirdein gois and meitis Marschall and Monro.

Vpone the 28th of Maij, the inhabitantis of the brughe of Abirdein chargit be tovk of drum to go out in thair best armour and meit governour Marschall and generall major Monro; quhairvpone sex scoir mvskiteiris and pikmen went out and met thame at the brig of Die.[a] Thay war estimat about 800 foot and fourtie horss,

The number of the regiment.

[a] To my loving friends the prowest and ballies of Aberdeine: My very loveing freinds these ar to show zow that I intend, (God willing) on Thursday nixt in the eftirnoone, to be at Abirdeine, quhair I will bring with me generall maior Monro and his regiment, for quhome I pray zow cause prowyd victuallis for the payment, for nothing sall be takin without reddie moneyis, ye alvayes approving zourselffis gude cuntrie men: And with all ye sall be in armes, and meitt ws at the brig of Dee, that we may joyne for defense of your toune, and of so many honest men as sall be fund thairin, and for the peace of the cuntrie about. Bot I wish ze be better conveened nor ze were at last wappin showing. So not doubting of zour cair and diligence heirin, I rest zouris lowing freinds. *Sic subscribitur*, MARSHALL. Dunoter, 26th May, 1640.

Thay ar weill armit and in good ordour.

who had also 6 peice of iron ordinans. Thay war in gude ordour, haveing blew bonnetis on thair heidis, with fedderis vaveling in the wynd. Enterit Abirdein, and wes quarterit. Marschall lodgit in his awin houss, and Monro togidder. Watchit nichtlie with sex scoir soldiouris. Aluaies, Monro deliuerit to the prouest and balleis certane articles in wreit, quhairof the tennour followis, quhilk he send in befoir the incuming of the army to the toun:—

Scornfull, prydfull, and skaithfull articles for Abirdein.

Articles of Bonacord, to be condiscendit vnto by the maiestratis of Abirdein, for thame selfis, and taking burding vpone thame for all the inhabitantis, to be presentlie seillit, subscrivit, and deliuerit to Generall Maior Monro, as haveing warrand from the Erll Marschall, in the estaitis name of this kingdome, and Generall Lesly.

1. First, desire the maiestratis to give in ane roll or list of these inhabitantis, absent or present, that hath not subscrivit the covenant and generall band, that thay may be decernit as bad and evill patriotis.
2. Secundlie, desyre the prouest, maiestratis, and all the inhabitantis to give thair gryte othe of fidelitie, not to correspond or keip interchange of intelligens with any that hes not subscrivit the covenant or generall band, wnder pane of loissing of thair lives and confiscatioun of thair goodis.
3. Desires thay condiscend willinglie to contribute to the intertynnement of the regiment, according as thay salbe stentit, in paying of there tent pairt; and thair souldatista being quarterit in this toun, that thay be obligit, for thame selfis and thair inhabitantis, not to harme or iniurie any of them, wnder the pane of death.
4. Desires thay be oblegit, for thame selfis and the inhabitantis, not to heir any minister preiche within the toun, who hath not subscrivit the covenant, wnder pane of being baneishit from the toun, both preicharis and heiraris.
5. Desires the regiment (being quarterit and billetit within the toun) may be intertynneit dureing thair residence thair, in meit, driuk, and lodging, according to the generall ordour subscrivit by the committe of estaits, for the tuo pairt of meinis allowit to inferiour officiares and soldiouris a day, according to the list of pay to be givin to the touneschip by the generall maior, wnder his hand, in name of the committee of estait, of the Generall, and of the Erll Marshall.
6. Desires the maiestratis to deliuer to the generall maior, befoir his entrie, (in name of the committe of estait, Generall Lesly, and Erll Marschall) the keyis of all thair portis, and entrie of thair magosinis and storehousis, tolbuith, or meiting houssis of the toun, togidder with the keyis of the jaile and prissoun, to be keipit at his plesour indureing his abode thair, for the good of the kingdome and saiftie of the toune and regiment, aganis intestuous and foraigne enemeis.

7. Desires that all corne in stoir within the toune be put wnder inuentar, for intertynnement of the regiment, in pairt of payment of thair tent pairtis; and that the maiestratis and inhabitantis be oblegit to pay the rest in moneyis once in the fourt nicht, according to the ordour for paying the thrid pairt of the soldatista, thair pay in money, till thay be superexpendit of the tent pairt.

8. Desires thay be oblegit to deliuer all the commoun spair armis, ammvnitioun, spaidis, schules, or mattokis that thay haue or can fynd, on thair grite oath, to be vsit at his plesour in maner foirsaid for the good of the kingdome, aganist intestine or foraigne enemeis, and for both there saifteis; and that thay be oblegit by thair gryte othe to joyne with him and his regiment or associatis in fighting or working aganis the enemy, in whatsoeuer the Erll Marschall and he commandis for the good of the kingdome and there owne saifteis.

9. Desires thay be oblegit to set all there baxsteris and brovsteris aganist the 2nd of Junij nixt, to haue provydit and in reddiness 12,000 pund wecht of good bisket breid, togidder with 1000 gallouns of aill and beir, to be put in small barrellis for the intendit expeditionis, for whiche thay salbe payit, or at lest allowit to thame in the first end of thair pairtis.

10. Desires, that in testimony of there Bonaccord with the souldatista that hes cum so far a marche for there saifteis fra the invasioun of foraigne enemeis, and the slaverie thay and thair posteritie may be brocht wnder, thay may be pleissit out of thair generositie accustomat, and present thankfulnes to the souldatista for keiping good ordour and eschewing of plundering, to provyde for them 1200 pair of schoois, togidder with 3000 elnis of hardin tyking, or saill canvess, for making of tentis to saif the souldatista from grite invndatioun of raynes, accustomat to fall out wnder this northern climat.

11. Desires aganes the 2nd of Junij to provyd for the intendit expeditioun, for setting good ordour in the countrie, and for supprysing our intestine enemeis and evill patriotis, that 50 horssis may be in reddiness for transporting of oure cannon, ammvnitioune, spair armes, and provisioun, whatsumeuer the Erll Marschall thinkis the army to stand in neid of. Whiche being accordit vnto, seallit, and subscrivit be the maiestratis and ministeris for thame selfis, and takand burding, as said is, for all the inhabitantis of the toun, wee will enter the citie freindly, and be ansuerabill for our selffis and soldatista, for any disorder beis committit be any of our number, and wnder oure command: And incace of not fulfilling and obeying oure ressonabill demandis, (so far as concernis the militarie pairt allanerlie) wee do heirby signefie vnto yow, in name of the estait and Generall of the army, that we will tak such speidie courss and ordour with yow, and all the inhabitantis refractarie, as may strik terrour in the hairtis of all vtheris our oppositis, following your example in disobediens, as euill and wickit

patriotis. For eschewing quhairof, we hartlie desyre your subscriptionis and seall to thir ressonabill demandis, or a peremptour present ansuer of Bon-accord or Mal-accord.

Abirdein gois to counsall.

The maiestratis, prouest, balleis, and counsall of Abirdein hauing receavit thir ridiculouss, tirranous, scornfull articles befor Monrois entrie to the toun, went directlie to counsall, to considder quhat wes best to be done. Patrik Leslie being prouest, with number of the heidis of the toun, strong covenanteris, condiscendi to grant Monrois desyres, and instantly seallit and subscrivit thir disgracefull articles, and send to Monro. Vtheris of the loyall subiectis war sorie that Abirdein sould be so misled by covenanteris aganis a King and his lawis, and no brughe within the kingdome so oppressit as Abirdein for thair love to thair Soueraigne lord, and, as wes said, done be the covenanteris, who brocht Monro to the toun, feiring the name of Gordoun and vtheris royalistis, as ye sall heir.[a]

Patrik Lesly prouest. He and the covenanteris yelldis.

Subscrives thir articles.

The royalistis ar sory.

Monro getis the articles.

Howsone Monro receavit bak thir articles, seallit and subscrivit, Marschall and he cums in to the toun, is lodgit and quarterit, as ye haue befoir, receaves the touns keyis, and getis obedience to his desyres; quhairat many honest men of the royalistis havellie grudgit, quhilk cuming to Monrois eiris, it is reportit he publictlie spak within the tolbuith in presens of the Erll Marschall and vtheris present, that it wes sore aganist his will to cum heir, saying the Tables culd get no rest for letteris, nicht and day, cuming fra the

Receavis the touns keyis.

He tellis he is send for be the prouest and balleis.

[a] The quhilk day, Patrik Leslie, prowest, causit red publictlie in audience of the haill toune, convenit this day in the tolbuith be the drum, the articles underwrittin, proponit and gewin in zisternicht to the magistratts of this burghe be the Erle Marshall and Generall Major Monro, immediatlie after thair incoming to the towne with their armie, and declaired that the magistratts of this brughe wer chairgit to subscrywe presentlie the saidis articles, befoir the souldiouris laid doune thair armes, or removed aff the streets. Lyikas than instantlie, the prowest and baillies, and sic of the nichtbouris as wer present with thame, for obedience to the chairge, subscryvit the saidis articles, and wer commandit to conveine the haill toune this day, to the effect thay might lyikwayes subscrywe the same, wha being convenit in the tollbuith, as said is, the Erll Marshall and Generall Major Monro being both present for the tyme, requyred and commandit the nichtboures and inhabitantis to subscrywe the saidis articles, as thay wald be answerable wpoun their perrill. For obedience to the quhilk chairge, the inhabitantis, suche as wer present, subscrywit the saidis articles. (Council Reg)

prouest and balleis of Abirdein, crying and craveing him to be send with ane regiment for thair gaird and protectioun. Likeas the Forbessis and Fraseris socht the samen for thair saiftie aganes the name of Gordoun and vther royalistis; bot Abirdein promesit frie quarteris and good intertynnement, and all thinges necessar during the space of a moneth, togidder with thair owne personall seruice of the toun at all occasionis; quhilk taill proveit most trew, for the toun wes divydit, sum for the King, sum for the covenant; bot the covenanteris never thocht to haue bein burdenit with mantenance of this regiment, bot to haue escaipit, and the royalistis to haue payit for all; quhairin thay war deceavit, as just from God, and repentit them selfis in bringing Monro hither when thay culd not help it. Aluayes the royalistis hated the covenanteris so muche the moir for thair bussiness, the King far of, heiring bot not helping thir calameteis, as Abirdein hoipit for, becauss he now seis cleirlie the lower houss of England is vpone the courss and counsall of our disorderis, as heirefter planelie do appeir.

Forbessis and Fraseris ar feirit for the Gordouns.

Thair fair promessis.

Abirdein is divydit.

The covenanters payis thair part contrair thair expectatioun.

Thay ar haitit.

The King culd not help.

In the meintyme sum honest men of the toune, and loyall subiectis to the King, seing materis go so, fled the toun, and cloissit wp thair yetis and durris befoir Monrois incuming to the toun; sic as James Cruikschank, Williame Scot, and sum vtheris. Monro heiring of this, he mellis with the keyis of the said Williame Scotis hous, schot his wyf and barnes to the dur, rypit and plunderit the goodis, and distroyit treis, tymber, and deallis, quhairof thair wes stoir. Aluayis, himself and George Steuart fled the countrie, and went be sea to Norroway. Thay lykuayes violentlie brak doun the fair glassin windois of the said James Cruickschankis houss, quhilk he wold never repair whill he saw better dayis. Thay lykuaies maisterfullie took wp his rentis, and leiving of Newhillis and Boigfairley, perteining to him in heritage; as lykuaies the mvlteris of the touns milnes of Abirdein, quhairof he wes bot takisman, to his gryte skaith, quhilk he sufferit patientlie. He fled heir and thair throw the countrie, and durst not be sein within nor without the toun, being sore invyit for his loyaltie to the King; and stood out so constantlie, that he wold never yield nor subscrive the covenant whill Februar, 1642, that he could do no moir, and indeid few burgessis did the lyk of his cot or above.

Sum tounis men fleis.

James Crukschank, William Scot, George Stewart fleis.

Thair houssis abusit.

Them selfis saillis to Norroway.

James Crukschanks glassin wyndois brakin doun.

His rentis takin wp.

Him self durst not be sein.

He induris muche truble.

His constancie.

Ane court de guard biggit wp.

Monro causit big wp betuixt the crossis ane court de guard, for saifing of his soldiouris fra weit and cauld on the nicht, and quhairin thay sould ly, except sic as wes on the watche.[a] Williame Scottis tymber payit for all now in his absence, being a trew royalist, who sustent muche moir skaith besydis. This court de guard wes biggit betuixt the crossis, as said is, whill Sonday 23rd Januar, 1642, thair raiss ane michty wynd that blew the samen over, as ye may heirefter sie, folio .

It is blawin over.

Mr. Dauid Lyndsay preichis.

Vpone Sonday the last of May, Mr. Dauid Lyndsay, persone of Balhelvie, (be directioun of the generall assemblie and presbitrie of Abirdein, as himself declairit out of pulpit), teichit heir in Old Abirdein. Efter sermon he red out ane vther covenant, with the generall assembleis declaratioun following thairvpone, and holdin at Edinbrugh, affirming the Kingis covenant to be agrieable with thairis, and that episcopacie wes not expedient in our kirk of Scotland, the Perth articles, hie commissioun, buke of cannonis, and the rest war vnlauchfull. Efter the reiding quhairof, the samen wes subscrivit over agane be sic men as wes within the churche, yea, be the regentis, (except Mr. Robert Ogiluy, subprincipall, who subscrivit efteruard, folio 22), and barnes of 15 or 16 yeiris of aige, albeit the regentis had subscrivit abefoir in Februar, folio . And my self first subscrivit the Kingis covenant, presentit by the Marques of Huntlie, glaidlie, in Old Abirdein; 2. I subscrivit in the same place ane vther covenant, presentit be the lairdis of Benholme and Auldbar; and thridlie, now this covenant, not willinglie, sic moir covenantis subscrivit, folio .

Another covenant subscrivit with ane declaratioun in Abirdein

Episcopacie not expedient.

Diuerss vther things vnlauchfull.

This is the 3d covenant.

The ministers cariage.

This preichar exhortit the auditouris by many persuasionis, mixt with terrour and thretning, to subscrive this holie covenant with hairt and vpliftit hand, assureing the contempneris or disobeyaris to be surelie pvnishit. Mony mervallit at his bussines and boldnes, without the Kingis auchtoretie. The people perforce gave obedience, and sic as wes not in the kirk befoir none, he took thair subscriptionis efternone efter sermon; and sic as had not subscrivit, he

The people mervallis.

[a] For 1500½ singell plentioun nailles for building the Court d'gard at 10s. the 100, is £7 15 0

For 1500½ dowbill plentioun nailles for that same wse at 18s. per 100, ... 13 19 0

—(Guildry accounts.)

careit thair names with him in wreit. His text befoir none wes vpone the 17th chepdour of Genesis, and first verss thairof: he preichit also efternone. A violent man for the good causs, sie his Allelujah, folio .

His text.

Thus ar thir covenantis subscrivit moir throw feir nor with the hairtis of many; and all the wayis could be devysit to mak the samen stand fast and sure maid it neuer moir stronger, bot wes crost, as ye haue heirefter, folio .

Mony throw feir subscrivis this covenant.

This samen Sonday, the Erll Marschall (not now governour Marschall, becaus Monro had gottin the tounes keyis) with generall major Monro, went to the Hie churche to heir deuotioun, and the soldiouris to the Grayfreir churche. The ministeris of thair awin army preichit to thame; bot Mr. James Sibbald, ane of the tounis ministeris, a singular man, wes then debarrit from ony forder preiching, as ane antecovenanter, to the gryt greif of the tounes people, sie moir of him, folio .

Marschall and Monro heiris devotioun.

Mr. James Sibbald debarrit fra preiching.

Mononday, the first of Junij, major Monro took out his soldiouris to dreill in the lynkis, and young Frendracht, with diuerss countrie barronis, cam in to him the said day.

Sindrie barronis cumis in to Monro.

It is said, about this tyme, the Erll of Montrose, by directioun of the estaitis, vpone ane signe of parlie, went to the castell of Edinbrugh and desirit Generall Ruthven, Lord Etrik, capitan of the said castell, to rander the samen to the estaitis, with the royall ornamentis, sic as croun, scepter, and suord, lying within the samen, becaus the parliament wes neir the doun sitting; bot this noble capitane boldlie and planelie refuisit. Montrose turnes bak and told the estaitis his ansuer. Quhairvpone thay causit wreit sum few lynes, chargeing and commanding him to give over the castell, and rander the ornamentis of the croun within 48 houris, wnder the pane of foirfaltour of lyf, land, and goodis; quhilk charge so wrettin wes womplit about ane arrow heid, syne schot wp over the castell wallis, quhair Ruthven micht fynd thame, quhilk he did; bot stoutlie he keipit his charge, whill at last he is forsit to yeild, as ye haue, folio 250.

A parle betuixt Montroiss and generall Ruthuen.

He will not rander the castell of Edinbrugh, nor royall ornamentis.

He is chargit wnder the pane of foirfaltrie, yit disobeyis.

He is forsit to yeild.

Vpone the second day of Junij, Mr. Johne Gregorie, minister at Dulmaok, wes brocht in to Monro be ane pairtie of soldiouris. He wes takin out of his naikit bed vpone the nicht, and his hous piti-

Mr Johne Gregorie takin and fynit.

To a straitlie ward.

quilie plumieirt. He wes thairfoir keipit in skipper Andersonis hous, haveing fyve mvskiteirs watching him day and nicht, and sustenit vpone his awin expenssis. None, no nocht his awin wyf, could haue privie conferrens of him, so straitlie wes he watchit. At last he is fynit to pay generall maior Monro 1000 merkis for his out standing aganis the covenant, and syne gat libertie to go. Bot in the generall assemblie holdin in July, he wes neuertheless *simpliciter* ieprivit, becaus he wold not subscryve the covenant; and when all wes done, he is forsit to yeild, cum in and subscrive, as ye haue heireftir, folio .[1]

He gets liberty.

He is deprivit.

Aberdeen charget with mattokis, mellis &c.

The said secound of Junij [the] drum gois throw Abirdein, chargeing the haill inhabitantis incontinent to bring to the tolbuith the haill spaidis, schooilis, mattokis, mellis, barrowis, pikis, gaveloikis, and suche like instrumentis within the toun, meit for wndermyning: quhilk wes schortlie done. Thaireftir, Monro take vp ane new muster of his awin soldiouris, and of the tounes men also, warnit be touk of Drum in the lynkis. He directis befoir him four pot peices, then gois to array, and takis about ane hundreth and fyftie of the bravest men of Abirdein, sore aganist thair willis) and mixis in amongst his soldiouris. He causit carie also the instrumentis for wndermyning foirsaid: and vpone the said second of Junij, began about ten houres at evin to marche touardis the place of Drum, and incampis hard besyd. The laird wes not at hame, bot his ladie with sum prettie men wes within the houss, quhilk wes weill furnisint with amvnition and all prouisioun necessar for defens of this strong houss. Howsone Monro and Marschall cam within listans and schot of mvskat, thay schot af of the hous twa of Monrois men, quhilk thay beheld. Then Marschall and Monro directis fra the camp to the castell ane summondis, chargeing thame to rander and give over the houss. Whairvpone the ladie craveit sum schort space to be advisit, quhilk wes grantit. Efter advysment scho cravit sum tyme to aduerteiss hir husband, quhilk wes

Monro takis vp ane new muster. He takis sum Abirdeins men, and mixis with his soldiouris.

Marschall and Monro with ordnance marchis to Drum.

Thay schot af twa of the hous.

Thay charge the house to rander.

The ladie treatis.

[1] John Gregory minister of Drumoak, was served heir to his father, James Gregory, saddler, and burgess of Aberdeen, 27th May, 1623. — Aberdeen Burgh Records, vol. i. p. 365. Notices of the Gregories "a family of which it is the almost peculiar distinction that, for two centuries, genius has been hereditary in it", will be found in Collections on the shires of Aberdeen and Banff, p. 55, note.

grantit, fra that nicht at evin, being Wednisday about sex houris at nicht, to the morne, Thuirsday, at sex houris at evin. In the mein tyme of this parle, Marschall rydis fra the camp to Dunnotter. Marschall rydis to Dunnotter.
The ladie, vpone hir awin good considerationis, within this tyme randeris wp the castell to Monro, Marschall being absent, and deliueris him the keyis vpone conditioun that hir soldiouris sould go out with thair armes, bag and baggage, saif and frie, and that hir self, with hir children and sum serving wemen, sould haue libertie to remane within ane chalmer of the place; quhilk conditionis wes grantit, and Monro manis the castell, leaves ane commander with 40 soldiouris to keip the samen, and to leive vpon the prouisioun alreddie provydit, and when that wes done, to leive vpon the lairdis rentis, so long as thay baid thair; and the lady to send the laird in to Monro, folio 199.[a] Mony mervallit that this strong weill provydit houss sould haue so sone randerit without schot of pot peice or ony danger.[b]

The castell is randerit vpon conditounis.

The ladie promesis the laird suld cum in to Monro.

He manis the houss.

Sum mervallis.

[a] In "ane inuitor off the great losses sustained by the laird off Drum and his father during the tyme off the lait trubles and combustions," it is stated that "during the tyme off his imprisonment his hows was totalie spoyled, and the wholl goods and plenishing within the same all takin away to the walue off thretein thowsand punds Scots."—(Drum papers.)

[b] During the time of the siege of the house of Drum, General Monro addressed the following order for drawing additional forces to his standard:—Lewetenent-colonel Forbes,—These shall be your warrand in the Erle Marsheall his name and myn, to go preceislie to Aberdene and desyr the concurrance of the whole magistrates immediatlie efter your comeing thair, to caus all thair thrie companies of the Erle Marshell his regiment, wnder your command, be preceislie in armes, with bag and baggage, repair heir with you to the leager,—and that wnder pain of confiscation of the dissobedientes gudis whatsoever, and pwnisheing of thair persones besydis, in cace of thair dissobedience as said is, for whiche these shall be your warrand. Daitet at the leager of Drum, the 4 of Junij, and subscrivit with my hand. *Sic subscribitur*, Robert Monro.

To remonstrate against this order the magistrates dispatched a commissioner to the General at Drum, armed with the following instructions:—

'Information for the toun of Aberdenes commissioner direct to the camp at Drum, 4th Junij, 1640.

The reasones why so many of our nichtbouris cannot merche out as wer requyred ar these:

First, all the couperis in the toun, both frie and wnfrie, ar, and hes bene employed in making of barrelles for careing of drink to the camp.

The haill wrichtes are imployed in building of the timber hous for the court de guaird, which cannot be left till it be concludet.

The haill baikeres ar employed in baiking of birskettes and wther bread for these of the camp and companies in the toun, conforme to the ordour gewin thame for that effect.

The haill poore men browsteres ar employed in furneshing of malt and fewall, in the toun and countrie about, for brewing of drink for the service of the camp.

The labourares of the ground and hors hyrares ar employed ones euerie day or

Monro returnis to Abirdein. Marschall meitis him. Thay heir devotioun.

Aluaies Monro, vpone Frydday, 5th Junij, leaves Drum, and returnes bak trivmphantlie to Abirdein, quhair the Erll Marschall met him; and that same nicht, about 6 houris at evin, thay had sermon, gave thankis to God for intaking of this strong hous with so litle skaith. Thir soldiouris lay in the place fra the foirsaid 5th of Junij to the 5th of September nixt, vpone the lairdis gryt charges and expenssis, sie folio .

The soldiouris long abode.

Marschallis men cumis out of the Merns to Abirdein.

Vpone the foirsaid 5th of Junij, thair cam to Old Abirdein about 600 of Merschallis men out of the Mernis, bot thay gat litle intertynnement thair. Vpone the morne, thay war quarterit in New Abirdein with Monrois soldiouris, and remanit wraking the toun, whill the 13th of Junij, sie folio 202.

Doctor Scrogie preichis.

Sonday, 7th Junij, Doctor Scrogie preichit in Old Abirdein, and celebrat the communioun; bot thair wes scarss 4 burdes of communicantis, inrespect of thir trubles.

oldiouris send out in pairtois.

The same Sonday, about 11 houris at evin, thair cam out of New Abirdein about 200 soldiouris, with there commanderis. At the brig of Done thay divydit in thrie pairtes, quhairof one went in touardis Foveran and Knokhall, another by Whitecarns touardis Wdny and

nicht in taking out of vivares, drink, and wther necessares for the camp.

The brousteres that furneshes the camp with aill and beir ar poore pople, and hes not credit skairse of a boll of malt, so that wnles ordour be gewin for payment to thame in present monyis, or in malt out of the camp, thay will not be habill to furneis any more.

Caus send bak the barrelles, wtherwayes the camp cannot be served.

Remember to get warrand for paying in the first end of our contribution, our meanest sort of pople, who hes quartered the sojouris, and hes not meanes nor moyen to interteaine thame wnles thay be payed, wtherwayes thay will all remove out of the toun.

Item, to remonstrat to the Lord Generall and generall major Monro, that since our town payes thair tent pairt of thair rentes and treddis for payment of the sojouris wages: that, thairfoir, they sould be frie from any forder chairge or burdin except in keiping of thair toun and resisting of foran invasion, as hes bein promest to ws be the lordes of committe for the estate, and is inviolablie observit in all countreis and townes quhair armies repaire, and no forder is requyred of wther burrowes.

Last, be the lordis of committee thair ar onlie tuelffscoir men appoynted to be listed for supplie of this regiment out of the whole diocie of Aberdene, quhilk consistis of eight presbyteries, so that out of ilk presbyterie thair wilbe required bot threttie men, our part whairof will not exceid eight men, whairfor we cannot be farder lyable bot for our awin pairt, proportionablie with the rest of the presbyterie of Aberdene.'

In a letter to Mr. Alex. Jaffray, then at Edinburgh, dated 28th June, 1640, the magistrates say, "if thair be two companies of men takin out of this toune to marche with the camp, we think that the halff of our people at home will be taken from ws."

Fuddess, the 3 touardis Fetterneir. Thay brak wp the yetis of Foverane, Wdny, and Fuddess. Thay took meit and drink, bot did no muche moir skaith, the lairdis of Foverane and Wdny being both absent in England, as royalistis and antecovenanteris. The ladie Wdny, duelling in Knokhall, randeris the keyis. Thay gave them bak vpone the morne without doing gryt wrong, and returnit to thair quarteris in Abirdein.

Foueran, Wdny, and Fuddess abusit.

The lairdis ar in England.

Knokhall evill vsit.

These who went to Fetterneir fand the yetis keipit cloiss, the laird himself being within, and began to persew the entress yet, quhilk wes weill defendit, and ane of thir soldiouris schot out thairat, whairof he deit schortlie thairefter. The rest leaves the persute, and thair hurt soldiour behind thame, and returnis to Abirdein without moir ado.

Fetterneir defendis his houss, killis ane soldiour.

The soldiouris gois bak.

The laird, feiring sum trouble to follow, displenishis the place, left nothing tursabill within, cloissis wp the yettis, and took his wyf, children, and servandis with him to sum vther pairt. Bot schortlie thair cum fra Abirdein another pairtie of soldiouris to the same place, brak wp the yettis and durris, enterit the houssis and chalmeris, brak doun wyndois, bedis, burdis, and left no kynd of plenishing on hewin doun, quhilk did thame litle good, albeit skaithfull to the owner. Sic as thay culd carie with thame thay took, syne returnit bak to Abirdein; bot the laird fled the countrie, and to Bervick gois he, folio 207, suffering this gryt skaith.

Fetterneir leavis his houss.

Another party abusis the place.

Vpone the 9th of Junij the laird Drum with sum few horss cam in to Abirdein, according to the ladeis promess at the randering of the houss, as is befoir, folio 198. He met with the Erll Marschall and maior Monro, drank kyndlie and blythlie togidder, and keipit him still besyde him. And in the mein tyme Monro send out pairteis of soldiouris, and brocht in to Abirdein Irving of Fornet, [Robert] Irving of Fedderet, Schir Johne Gordoun of Haddoche, Donaldsone of Hiltoun, Schir Alex^{r} Cuming of Culter, Alex^{r} Wdny of Ochterellon, [Thomas] Burnet of Camphell, [George] Gordoun of Nethermvre, Mr. Johne Ross, minister at Brass, who wes takin out of his naikit bed, and diuerss vtheris knowne antecovenanteris, whome he keipit besyd him whill he went to Edinbrugh, and had thame all with him, as ye haue heirefter, folio 203. This seruice wes done befoir the sevint of Junij.

The Laird Drum cumis to Abirdein.

Meitis with Culter, Ochterellon, Fornet, Neddermvre, Camphell.

Mr Johne Ross, takin with Haddoche, Hiltoun, Fedderit.

Thomas Cheyne of Essemouth, as a papist, was brocht into Abirdein. He wes keipt in waird and subscryve the covenant, and so wes lowsit.

Thomas Nicolsone, burges of Abirdein, wes takin out of his owne houss vpone the 9th of Junij, a tender seikfie man, and gairdit be soldiouris.

Thomas Crombie being absent in England, his place of Kemnay is takin in, his girnellis brakin wp, and store of victuallis pairtit amongst the soldiouris. Thus, all sort of people who wold not suoir and subscrive the covenant, and contribute to the good cause, wes gravoualie overrun and oppressit, without law or auchtoritie of his Majestie.

Vpone the nynt of Junij the croftismen of Old Abirdein compellit amonges thame to furneish out fyve fute soldiouris, to help to mak wp Monrois regiment, who had moir neid of support to hang in thair liven.

Vpone the said nynt of Junij, the Lord Gordoun, the Laird of Cluny, with sum few seruandis, cam from England queytlie be sea. Thay land ane bolt at the cove, and brocht aboord Alex[r] Gordoun of Braamoir, and Mr. Thomas Gordoun at Kethokis milne, who told how the countrie wes reullit. Thay cam a schoir vn-espyit, with quhom James Farquhar, burges of Abirdein, who cam in the same bark from England, landit also at the Cove. The bark gois to the sea, and landis at Nether Bukkie in the Engzie, and James Farquhar cums home to his owne houss; bot he is schortlie takin and wranit be Marschall and Monro, and demandit who cam in the bark. He declairit the treuth, and so wes lettin go, efter sum vther qwarrels.

The Lord Gordoun stayit at home whill about the 23rd of July, [illegible] wp wall the Nether Bukkie, and cumis along this cost [illegible] England. His departeour is espyit. Monro is aduertesit, [illegible] with well prouydit soldiouris to attend hir, [illegible] and keep neir hir, he being at the wynd wart [illegible] and wer wrye away, ignorant of this plot.

[illegible] the soldiouris dreillit in the lynkis, and [illegible] wes haldin ane muster of ware in the mylneith of Abirdein. Marschall and Monro and their complices. Thair wes

brocht befoir thame the lairdis of Culter, Ochterellon, [Thomas] Burnet of Camphell, [George] Gordoun of Nethermvre, Irving of Fornet, formerlie said, Thomas Nicolsone, George Johnstoun, George Moresoun, George Jamesoun, George Gordon, Robert Forbes, Mr. Alex^{r} Reid, Dauid Rikard, and William Patrie, tounes men and burgessis of Abirdein; bot the lairdis of Drum, Haddoche, Fedderet, Hiltoun, Mr. Johne Ross, minister at Brass, wes not brocht in befoir this committee, bot had south, as ye sall heir, folio 203. The rest wes accusit for thair outstanding, and being contrarie myndit to the good causs. Thay maid thair owne ansueris, bot wes not weill hard. In end thay ar all ordanit to go lodge in Mr. Henrie Buchan's houss that nicht, and prepair them selffis to go for Edinbrugh vpone the morne; and in the meintyme setis a strait guard about thair lodging, that none sould go in nor out without licens, whiche thir gentlemen wes compellit to obey.

Sindrie gentilmen and burgessis, sic as Culter, Ochterellon, Camphell, Nethermvir, Fornet, Thomas Nicolsone, George Johnstoun, George Morisoun, George Jamesoun, George Gordoun, Robert Forbes, Mr Alex^{r} Reid, Dauid Rikard, William Patrie, thay ar brocht in befoir thair counsall, and accusit.

Thay ar ordanit to lodge in Mr Henry Buchanis houss.

Vpone the morne thay took thair leive from Abirdein, leaving thair freindis with sorie hartis. Thay war gairdit and convoyit be soldiouris as throtcutteris and mvrtheraris, quhairat thay war displeissit, bot culd not mend it. The first nicht thay cam to Cowy, and sua furth to Edinbrugh, convoyit be ilk schirefdom from schire to schire. Thus is the Kingis loyall subiectis, without his auchtoritie or law, brocht wnder subiectioun.

Thay ar convoyit to Edinbrugh.

The old laird of Geicht, a seiklie tender man, being by chance at this samen tyme in Montross, is takin by ane capiten Betoun and had to Edinbrugh with the rest; his houss of Ardessie pitifullie plunderit, becauss he wes ane papist and out stander aganes the good causs.

Old Geicht is takin and had to Edinbrugh.

His houss is plunderit.

Howsone thay cam to Edinbrugh, thay war all wairdit in the tolbuith, and schortlie our tounes men ar first brocht in befoir the Tables. Thay ar accusit as contrarie to the good causs. Thay maid there owne ansueris, whiche wes not weill hard, quhairvpone thay ar committit agane to waird; bot inrespect of the laird of Geicht his seiknes, and of Thomas Nicolsone his seiknes, thay get libertie, and wes confynit in the toun, whair old Geicht departit this lyf; yit wes not fynit as is said.

Thay ar all wardit.

The burgessis ar first accusit, and send bak to waird.

Geicht and Nicolson confynit within the toun, quhair Geicht deceisis.

Efter examinatioun of our burgessis, the laird of Culter, the laird of Ochterellon, Fornet, Camphell, Nethermvre, thay war brocht in

The barronis and gentilmen ar accusit.

Thay ar returnit to waird. Their long residence.

Thair fynis.

Thay ar set to libertie.

and accusit, and returnit bak to waird, whair ane and all wes forsit to stay during the space of six monethis, to thair gryt displesour and hurt to thair helth, with gryte charges and expenssis. At last it pleissit the estaites to fyne thame as followis; and first for our tounes men, Thomas Nicolsone wes fynit in 2000 merkis, George Johnstoun 1000 pundis, Robert Forbes 1000 lib., Dauid Rikard 1000 merkis, Williame Patrie 1000 merkis, George Morisone and George Jamesone be moyan wan frie, and payit no fyne, George Gordoun 1000 merkis. Mr. Alex^{r} Reid, be menis of the Erll of Mar, wes translaitit to Striviling, thair to remane in waird whill he payit 2000 merkis, syne gat libertie. The laird of Culter wes fynit in 300 merkis, the laird of Ochterellon 1000 merkis, Nethermvre 300 merkis, Fornet , Camphell . Thus, barronis and burgessis ar first wardit, syne fynit, and compellit to pay the samen befoir thay wan out of the tolbuith, syne set to libertie, and ilk man cam hame to his owne houss. Thus, the Kingis loyall subiectis ar forsit to suffer, sie folio 203.

Our parliament sitis doun wanting King or commissioner.

The forme of this parliament.

Ye hard how our parliament wes adjornit fra the 14th of November, 1639, to the 11th of Junij, 1640; quhilk day being cum, the parliament sat doune wanting ane King or commissioner, quhairof the like wes neuer sein in the Christean worlde, quhair any King reullit and rang, as our actis of parliament beires in the name of the King or his commissioner, &c. Bot this parliament sitis doun, and the printit actis hes no relatioun to King or commissioner, bot onlie intitulat *Actis past and done in this present Sessioun of Parliament, the 11th of Junij*, 1640.

The first act quhairof choosis Robert, Lord Burghlie, to be president, inrespect of the absens of the Kingis commissioner. The second act constitutis the thrie estaitis of parliament, viz., nobles, barronis, and burgessis, and abolishes bischopis. The 4th act ratefeis the actis of the assembly. The 5th act hes relatioun to Johne, Erll of Traquhair, lord commissioner. Suppose no mentioun of that parliament is amongis the imprinted actis, aluayes thair is about 39 actis maid wp be this president and thrie estaitis foirsaidis, without King, commissioner, croun, suord, or scepter: vncouth to sie. Prorogatis the same parliament to the 19th of November nixt, syne dissolues. Quhilk day being cum, the said Robert, Lord

Burghlie, is again chosin president be the estaitis of parliament, and adjornit to the 14th of Januar, 1641; fra that contynewit to the 13th of Aprile, 1641; fra that adjornit to the 25th of Maij; fra that to the 15th of July, 1641. Thus, is this parliament contynewit fra day to day, the Lord Burghlie still chosin president; and to the quhilk fyfteint of July the King cam him self, as ye haue heirefter, folio .

This parliament continewit fra day to day whill the Kingis cuming.

Aluaies, efter the last contynewatioun of parliament, Felt Marschall Leslie musteris his army in the lynkis of Leith, estimat to 16,000 men, with expert capitanis and commanderis, sie heirefter, folio .

Leslie musteris his men.

The young laird of Geicht is forsit be Marschall and Monro to cum in; and vpone Frydday the 11th of Junij, he cam to Abirdein befoir the counsall of warr. He getis 48 houris protectioun. Ane challenge of combat past betuixt him and the laird of Phillorth. Marschall getis word, sendis ane pairty of soldiouris for him, (to eschew this fight) and took him out of his naikit bed, lying in Mr. Thomas Lilleis hous in Old Abirdein. Geicht (wnder protectioun) mervallis at this bussines, not knowing Marschallis purpoiss. Aluaies, he gettis libertie from the capiten that took him to ryde besyde him, (who wes also horst) over to the toun, and speik with Marschall. The capitane seing his horss bot ane litle naig, wes content; and so thay ryde on with his soldiouris whill thay cum to the Justice Port, whair Geicht schiftis the capiten and all his keipares, and be plane speid of foot he wynis cloiss away, to all thair disgraces, and to Germany gois he, whair he stayis whil folio .[a]

Young Geicht cumis in, getis protectioun.

Ane challeng betuixt him and Phillorth.

He is takin at Marshallis command. He wynis away.

He gois to Germany.

Maior Monro, vpone the 13th of Junij, receavit fra the toune of Abirdein 5000 lib. for thair tenthis and tuentiethis to sustein his

Monrois payment exactit af of Abirdein.

[a] Upon the 13th day of Junii, 1640, when I understood that that same night last bypast some armed men sent from General Major Monro, hade come to Mr. Thomas Lillie his house, and their taken the laird of Gicht as he was in his bed (who efterward eskaped from them), and brought him hard by my doore, and alongst the windowes of my house—I being sleeping in my bed all the whyle, and perceauing nothing of that was then done; when I understood this upon the morne, and finding that God had moued the hearts of theise men, and of those that sent them, to passe by without offering any molestation to me or to my house, I entered into my studie and praised God for this new experience of His constant mercy and fatherly providence towards me: and I humbly prayed to God to continue this His louing kindnesse to me, and to make me thankfull.—(Dr. Forbes' Diary, fol. 125.)

soldiours vpone ane vther 500 li. in vertue of the generall band, with 200 merk ane schoore ane 3000 elnis of hardin to be his soldiours schoore ane sarke. Marschal, at this samen tyme, take vp in name and 4...00 li. of vtheris. Thus is this noble brughe, but the King nor ane vther wrocht in thair persones, guidis, and geir, for thair proffit nor thair King, and all the rest of the burrowis stoode still. See more of thair trouibles, folios 204, 207, 208, 209. [illegible]

Marschal and Mure nameng gotin moneyis, the same day Marschal remuvit his soldiours out of Aberdein, and disbandis thame all. Mure leaves 700 soldiours quarterit in Aberdein, and [illegible] with nameng in his company the laird Drum, the laird of Haddocho, the laird of Fedderes, the laird of Hiltoun, and Mr Johne Lesly minister at Insch. He presentis thame to the Ladies at Edinburgh. Thus are all warrdit in the tolbuith, and for thair lovaltie to the King is tynt, viz., the laird Drum 10,000 merkis, Fedderes 4000 merkis, Haddocho 2000 merkis, Hiltoun he thocht was rych, Mr Johne Lesly 3000 merkis: but whidder takin vp or nocht, I can not tel.

The said 13th Junii, the Lord Fraser, collonell Alex^r, maister of Forbes, the marcis of Philorth, Monymusk, Auchmeddan, and vthers haid ane rendevis in Aberdein.

Vpone Sonday last Junii, Doctor Scrogie teichin and gave the communion heir in Old Aberdein. Efter sermon, the reidar warnit all heritours, feuesetters, and men of rent within Old Aberdein of the parochin, to go to the Erll Marschallis house in New Aberdein vpone the morne the 15th of Junii, and thair to subscrive the generall band left behind him, to be done vnder the pane of pvnishing. Many of the Oldtoun people obeyit, and subscrivit this band sore against thair willis, vpone the foirsaid 15th of Junii. The tennour of this generall band ye have, folios 169, 170, 167, 171 with ane large informatioun: but the Oldtoun people incurrit no danger by subscriving this band.

The said day, Mr. Williame Johnstoun, doctor of phisick, departit this lyfe in New Aberdein:[a] Mr. Williame Gordoun, ane vther

[a] A younger brother of the more celebrated Arthur Johnston. According to Sir Thomas Urquhart, he 'was a good poet in Latine, and a good mathe-

doctor of phisick, depairtit also this life a litle befoir in Old Abirdein, as ye haue, folio . Doctor Barroun, professor of divinitie, and Doctor Ross, ane of the ministeris of Abirdein, four excellent men, yea and almost matchles in ony brughe of Scotland, depairtit also this lyf, as ye hard abefoir, folio , to the gryte greif of Abirdein and countrie also; and all fell sen the begining of this covenant.

Monro causis both Abirdeins muster in the lynkis.

Vpone Tuysday, 16th Junij, major Monro drew out bothe Abirdeins to muster in the lynkis. Few cam out of the toune, becaus mony wes fled; whairat he wes angrie, and schortlie commandit to go serche the brughe, and bring with them old and young, bot few wes found, and sic as cam to the lynkis war deiplie suorne vpone what armes thay had. He lookit also to our Oldtoun men who wes in the lynkis, about 100 men, without mvskat, pik, or suord, for the most pairt. He proudlie demandis if thay had no more armes. Thay ansuerit, not, becaus the laird of Cragiwar had plunderit thair haill armes fra them abefoir. Then Monro sayes, "Ane wod bull may go throw yow all," and so left thame, and ilk man returnit home but more ado.

Tuo committees.

The order of thir tua committees.

The committee of estaitis at Edinbrugh had ordanit tua committees to be electit and chosin, the ane thairof constantlie to remain at Edinbrugh, the vther constantlie to remane with Felt Marschall Leslie, or his excellence camp; and ilk committe to consist of sex nobles, sex barronis, and sex burgessis, and thir tua committees to ordour the countrie and the camp. And in the meintyme gryte preparatioun for raising of ane army, as ye may sie, folio 216.

Preparatioun for raising ane army.

Men prest out of Abirdein.

Vpone Thuirsday 18th Junij, Monro pressis and takis perforce out of thair naikit bedis sum Abirdeins men and craftis boyis, to mak the number of 16 soldiouris, quhilk the toune wes stentit too, for Old Abirdein wes stentit to fyve, quhilk thay send befoir; and thir soldiouris with the countrie soldiouris to mak wp 300, to be eikit to Monrois regiment, consisting then of 700, and to mak wp the full regiment of 1000 men.

Monrois regiment.

matician, acknowledged to be such (which was none of his meanest praises) by master Robert Gordon of Straloch, one of the ablest men in Scotland in the mathematical faculties.' (Urquhart's 'Jewel,' &c., p. 125, Edin., 1774. See also Lives of Scotish Writers by Dr. Irving, vol. ii., p. 39.)

soldiouris vpone, and vther 5000 lib. be virtue of the generall band, with 1200 pair of schoois and 3000 elnis of hardin to be his soldiouris schone and sarkis. Marschall, at this samen tyme, tuke wp fra thame also 40,000 lib. of fynes. Thus is this noble brughe, but ane King, but ane law, wrackit in thair persones, guidis, and geir, for thair loyalty to thair King, and all the rest of the burrowis leiving in peice. Sie moir of thair troubles, folios 204, 207, 208, 209, 214, 215, 216, 218, 220, 225.

Marshallis fynes.

Abirdein sore wrakit, and no vther brughe.

Marschall and Monro haueing gottin moneyis, the same day Marshall removis his soldiouris out of Abirdein, and disbandis them all. Monro leaves 700 soldiouris quarterit in Abirdein, and he gois south him self, haueing in his company the laird Drum, the laird of Haddoche, the laird of Fedderet, the laird of Hiltoun, and Mr. Johne Ross, minister at Brass. He presentis thame to the Tables at Edinbrugh. Thay ar all wairdit in the tolbuith, and for thair loyaltie to the King is fynit, viz., the laird Drum 10,000 merkis, Fedderet 4000 merkis, Haddoche 2000 merkis, Hiltoun be moyan wes frie, Mr. Johne Ross 3000 merkis; bot whidder takin wp or componit, I can not tell.

Marshall disbandis.

Monro quarteris 700 soldiouris in Abirdein. He gois south, haueing the Lairdis of Drum, Haddoche, Fedderet, Hiltoun, Mr Johne Ross.

Thay ar wardit, and fynit.

The said 13th Junij, the Lord Fraser, collonell Alex[r], maister of Forbes, the lairdis of Phillorth, Monymvsk, Auchmedden, and vtheris held ane committe in Abirdein.

Ane committe holdin at Abirdein.

Vpone Sonday 14th Junij, Doctor Scrogie teichit and gave the commvnioun heir in Old Abirdein. Efter sermon, the reidar warnit all heritouris, wedsetteris, and men of frie rent within Old Abirdein or the parochin, to go to the Erll Marschallis houss in New Abirdein vpone the morne, the 15th of Junij, and thair to subscrive the generall band left behind him, to be done wnder the pane of plundering. Mony of the Oldtoun people obeyit, and subscrivit this band sore aganist thair willis, vpone the foirsaid 15th of Junij. The tennour of this generall band ye haue, folios 169, 170, 167, 172, with ane lairge informatioun; but the Oldtoun people incurrit no danger by subscriving this band.

Warning to all heritouris, woodsetteris, &c. to subscrive the generall band.

The said day, Mr. Williame Johnstoun, doctor of phisick, depairtit this lyfe in New Abirdein;[a] Mr. Williame Gordoun, ane vther

Doctor Johnstoun, Doctor Gordoun, phisitians, Doctor Barron, Doctor Ross, divyns, depairtis this life.

[a] A younger brother of the more celebrated Arthur Johnston. According to Sir Thomas Urquhart, he 'was a good poet in Latine, and a good mathe-

estaitis or tables, heiring of his depairtour, directis the Erll of Montroiss and Erll of Kingorne to go to the place of Airly, and to tak in the same, and for that seruice to carie cartowis with them; who went and summondit the Lord Ogiluy to rander the houss, (being ane impregnabill strenth be nature, weill manit with all sort of mvnitioun and provisioun necessar) who ansuerit his father wes absent, and he left no sic commissioun with him as to rander his houss to ony subiectis, and that he wold defend the samen to his pouer whill his fatheris returne from England. Thair wes sum schotis schot at the houss, and sum schot fra the houss; bot the assaillantis fynding the place by nature of gryte strenth, vn-wynnabill without gryte skaith, left the seige without mekill loiss on ather syd, and depairtit thairfra in Junij.[a]

Airlie beseigit, and manfully defendit.

Thay charge to rander.

The Lord Ogiluyis ansuer.

Sum schotis but skaith.

Thay leave the seige.

Now, about this tyme the committee of estaites or tables finding no contentment in this expeditioun, and heiring how thair freindis [of] the name of Forbes and vtheris in the countrie wes daylie iniurit and oppressit be sum hieland lymmaris, brokin out of Lochquhaber, Clangregour, out of Atholl, Bray of Mar, and diuerss vtheris places; thairfoir thay give ordour to the Erll of Argyll to raiss men out of his awin countrie, and first to go to Airlie and Furtor, tuo of the Erll of Airleis principall houssis, and to tak in and distroy the samen, and nixt to go vpone thir lymmares and pvnish thame. Lyk as, conforme to his ordour, he raisis ane army of about 5000 men and marchis touardis Airly; bot the Lord Ogiluy, heiring of his coming with sic irresistabill forces, resolues to flie, and leave the houss manless, and so, for thair awin saiftie, thay wyslie fled. Bot Argile most cruellie and inhumanely enteris the houss of Airly, and beatis the same to the ground, and richt so he dois to Furtor; syne spoyllis all the insicht and plenishing within both houssis, and sic as could not be careit thay maisterfullie brak doune and pitifullie distroyit. Thairefter thay fell to his ground, plunderit, robbit, and tuke away from him self, his men tennentis and seruandis, thair haill goodis, geir, cornes, cattell, horss, nolt, scheip, insicht plenishing, and all quhilk thay could get;

Argile cums with ane new assault.

The Lord Ogiluy fleis.

Argiles ordour.

He castis doun Airly and Furtour.

Airly and Furtour spolzeit.

His ground cruellie plunderit.

[a] The castle of Airly was probably erected about 1432, in which year Sir Walter Ogilvy of Luntrathin received a license from James I., to erect his tower of 'Eroly' in form of a castle. (Writs at Cortachy Castle.)

Ane tevin meir.

He causit big wp betuixt the crossis ane tymber meir, quhairvpone runnaget knaves and runaway soldiouris sould ryde. Vncouth to sie sic discipline in Abirdein, and more panefull to the trespassour to suffer.

Daylie dreilling.

Vpone Frydday 19th Junij, Monro dreillis in the lynkis, and daylie thairefter, and thair wes cuming and going to him contynewallie countrie barrones and gentlemen; and vpone the samen day thair wes ane committee holdin at Abirdein be the tutour of Petsligo, the laird of Monymvsk, George Baird of Auchmedden, and be diuerss vtheris, Mr. James Mairtyne, minister at Peterheid, moderatour of the assemblie of this diocie to the nixt provinciall assembly, Mr. Thomas Mairtyne, minister at Deir, Mr. Dauid Lyndsay, persone of Balhelvie, and Mr. George Scharp, minister at Fyvie. Thair wes fra this committee letteris direct out aganes certane outstanding ministeris, sic as Mr. Johne Ross foirsaid, minister at Brass, Mr. Johne Gregorie, minister at Dulmoak, Mr. Alex[r] Strathauchin, minister at the Cheppell of Gareoche, Doctor Forbes, laird of Corss, Doctor Sibbald, minister at Abirdein, Doctor Scrogie, minister at Old Abirdein, Mr. Ritcherd Maitland, minister at Abirchirdour, Mr. Johne Forbes, minister at Ochterless, with diuerss vtheris, to compeir befoir the committe to be haldin at Abirdein the 7th of Julij nixtocum, to ansuer for thair disobedience and outstanding.[a]

Ane committee.

Mr James Martyne moderatour.

Letteris direct aganis diuerss outstanding ministeris, to compeir the 7th of July.

The Erll of Airly gois to England.

The Erll of Airlie went from home to England, feiring the troubles of the land, and that he sould be pressit to subscrive this covenant whidder he wold or not, quhilk be fleing the land he resoluit to eschew alssweill as he could, and left his eldest sone the Lord Ogiluy, a brave young nobill man, behind him at home. The

[a] Vpon the 24th day of Junie, 1640, I receaved a summonds to compeare before the commission of the last generall assemblie, to be holden vpon the 9th day of Julii next, within the King's Colledge in Old Aberdene; which summonds I brought with me into my studie, and spread it before the Lord, humbling myself wpon my bellie and face to the ground, and praying that the Lord would be mercifull to me and to my brethren, and plead for us, and show us his saluation, and teache us the right way, and leade vs therein, and give vs in that houre what to say, and to perfite his strength in our weaknesse; and, also, I prayed that the Lord would be mercifull to these our brethren who trouble vs, and not to lay to their charge any sinne, but to giue them and vs godly repentance vnto salvation, and mercy and grace for our help in tyme of need. (Diary of Dr. John Forbes, fol. 129.)

estaitis or tables, heiring of his depairtour, directis the Erll of Montroiss and Erll of Kingorne to go to the place of Airly, and to tak in the same, and for that seruice to carie cartowis with them; who went and summondit the Lord Ogiluy to rander the houss, (being ane impregnabill strenth be nature, weill manit with all sort of mvnitioun and provisioun necessar) who ansuerit his father wes absent, and he left no sic commissioun with him as to rander his houss to ony subiectis, and that he wold defend the samen to his pouer whill his fatheris returne from England. Thair wes sum schotis schot at the houss, and sum schot fra the houss; bot the assaillantis fynding the place by nature of gryte strenth, vn-wynnabill without gryte skaith, left the seige without mekill loiss on ather syd, and depairtit thairfra in Junij.[a]

Airlie beseigit, and manfully defendit.

Thay charge to rander.

The Lord Ogiluyis ansuer.

Sum schotis but skaith.

Thay leave the seige.

Now, about this tyme the committee of estaites or tables finding no contentment in this expeditioun, and heiring how thair freindis [of] the name of Forbes and vtheris in the countrie wes daylie iniurit and oppressit be sum hieland lymmaris, brokin out of Lochquhaber, Clangregour, out of Atholl, Bray of Mar, and diuerss vtheris places; thairfoir thay give ordour to the Erll of Argyll to raiss men out of his awin countrie, and first to go to Airlie and Furtor, tuo of the Erll of Airleis principall houssis, and to tak in and distroy the samen, and nixt to go vpone thir lymmares and pvnish thame. Lyk as, conforme to his ordour, he raisis ane army of about 5000 men and marchis touardis Airly; bot the Lord Ogiluy, heiring of his coming with sic irresistabill forces, resolues to flie, and leave the houss manless, and so, for thair awin saiftie, thay wyslie fled. Bot Argile most cruellie and inhumanely enteris the houss of Airly, and beatis the same to the ground, and richt so he dois to Furtor; syne spoyllis all the insicht and plenishing within both houssis, and sic as could not be careit thay maisterfullie brak doune and pitifullie distroyit. Thairefter thay fell to his ground, plunderit, robbit, and tuke away from him self, his men tennentis and seruandis, thair haill goodis, geir, cornes, cattell, horss, nolt, scheip, insicht plenishing, and all quhilk thay could get;

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[a] The castle of Airly was probably erected about 1432, in which year Sir Walter Ogilvy of Luntrathin received a license from James I., to erect his tower of 'Eroly' in form of a castle. (Writs at Cortachy Castle.)

and left nothing bot bair boundis of sic as thay could consume or distroy or carie away with them, and sic as culd not be careit dispytfullie wes brynt wp be fyre.[a] This seruice done be this Erll of Argile aganes that noble man the Erll of Airly, the Kingis loyall subiect, but any warrand or auchtoritie, he then addressis himself to Atholl, quhair the Lord Lovdoun (being set to libertie out of the tour of London) cam to sie the Erll of Argyll. The Erll of Atholl, heiring of Argiles cuming, offerit to do what he wold command him, and send for fuirty aucht chief men of that cuntrie, of the name of Steuart and Robertsone, whill he sould cum and performe his promess. Argile acceptit the gentilmen, and by Athollis knouledge he sendis the pledges to the Tables, syne trystis and causis Atholl sueir and subscrive as he pleissit. This wes not fair play, as wes reportit. From Atholl he gois to Lochquhaber, and as he marchis he gettis dew obediens of barronis, gentilmen, and vtheris throw the countreis. He plunderit and spolzeit all Lochquhaber, and brynt M^cRonaldis houss of Keppache, holdin of the hous of Huntly. He left ane capitane with 200 men to keip this countrie, bot thay war all killit and chaisit be the Lochquhabrians. Thus Argile gois throw, all man offering subiectioun and obediens to him, quhairof he sendis sum to Edinbrugh to the table or estaitis; vtheris he takis suorne and subscriveing the covenant, the band of releif, and contributing to the good causs, and sufferit thame to stay at home. This done, he disbandis his army, and cumis doun Diesyde, about 1200 men. Sie befoir, folio 190, of this nobill Erll of Argyllis proceidinges. Bot what ordour he tuke with the brokkin men, oppressouris of the countrie, wes not mekill hard, so forduard wes he for the covenant.

Gryte abuse, but auchtority.

The Lord Lovdon cumis to visit Argile.

Atholl sendis hostages.

Argile compellis him to sueir and subscrive the covenant, syne sendis the plegis to Edinbrugh.

He getis gryt obedience, gois to Lochquhaber, burnis the Keppache.

Argile is cruell and bussie.

He disbandis his army.

About this tyme in Junij, the old constabull of Dundy, being aigit and seiklie, wes careit be coache, vnhabill to ryde, to Edinbrugh, becaus he wes ane outstander aganis the covenant: horribill oppressioun.

The constabull of Dundie is takin.

[a] Argyle's proceedings on this occasion gave rise to the well known ballad, 'The Bonnie House of Airly,' which is more to be regarded for the sweet music to which it is sung, than for any historical value of which it is possessed. Some minute particulars connected with the event are given by Gordon:—Scots Affairs, vol. iii., pp. 164, 5.

The Kingis schippis ar daylie taking our Scottis schipis and barkis, to the number of 80 small and great. Thay ar had to Bervick, Newcastle, Holy Iland, and sic lyk portis, thair goodis loissit and inuentarit, and closely keipit. The English beheld this, to humour the King in revenge of the Scottis, bot all wes restoirit haill and sound to the awneris, without loiss of ane grot. So wes the King handlit, as ye may reid in the treatty of peace, set doun in the actis of Parliament, folio .

Our Scottis schipis takin to no purpoiss.

Vpone Sonday, 21st Junij, six slicht soldiouris, alledging warrand from capitane Wallass, thair capiten, to tak salmound fra the fisheris of Done, quhilk wes tane on Sonday, thir lounes cumis with six creillis on thair bakis, and beginnis to fill thame wp with salmound takin the nicht befoir. Brasmoir, ane heretour of the said water, aduertesit heirof, gois with his brother Johne Gordoun, takis bak the fishes plunderit fra him and his nichtbouris, and causit carie them bak in there owne creillis, and blaidit these six beistlie fellowis fra the fische, creillis and altogidder, but reparatioun, and hurt ane of them also.

Knaverie of soldiouris.

Alexr. Gordon and his brother hurtis one, and beatis the rest, and takis thair salmound bak.

Ye hard befoir, folio 200, of the Lord Gordouns cuming and landing at Nether Bukkie. He went to the Bog, leivit quyetlie, and beheld how materis went some schort space. Thairefter he saillis to Bervik, haueing in his company the mid laird of Geicht, the laird of Park, Hector Abircrummy of Fetterneir and his eldest sone, Johne Gordoun of Ardlogie and his eldest sone, Nathaniell Gordone, the lairdis of Foverane and Muresk, with diuerss vther gentilmen. Maior Monro, aduerteist of this, causis tak ane schip in the harberie of Abirdein, going to hir voyage, manis hir with soldiouris, ammvnitioun, pulder, and ball, and sendis hir immediatly to the sea to tak this bark, quhairin the Lord Gordoun with his freindis wes, cam in sicht of vtheris; bot scho saillit by saif and sound, and the vther schip returnit bak to the harberie of Abirdein, with loiss of hir trauell. The Lord Gordoun took the sea about the 20th of Junij. Bot this escaip did no good, for thay ar all forsit to cum in and submit them selfis to the good causs, as ye may sie heirefter.

The Lord Gordoun schippis with sum freindis.

Monro vmbesettis his way.

Yit he escaipis ignorant of Monrois devyss.

Tuysday, the 23rd of Junij, the Erll Marschall send fra Dunnotter to major Monro ane boit ladnit with pulder, ball, and armes, for his better prouisioun.

Marschall sends to Monro pulder, ball, and armes.

Abirdene chargit to bring thair armes to Merschallis closs.

Vpone Setterday [Friday] 26th Junij, six drumis went throw Abirdein, commanding and chargeing the haill inhabitantis to bring to the Erll Marschallis cloiss his haill armour, sic as suord, pistoll, mvscat, hagbut, carrabin, corslet, jak, partisane, pik, and all vther kynd of armes, and commandit the balleis to go quarterlie throw the toune that none sould be obscuirit. The tounes people gave obedience.

Thay ar pitifullie plunderit.

Monro causis tak wp inuentar of ilk manis armes; syne commandit them to lay doun the same within the Erll Marschallis cloiss, or rather within his houss, syne commandit ilk man to go home, for

The touns good subiectis sore oppreet.

he wold keip these armes for his awin vse. The tounes people wes passing sorie for bereaveing them of there armes be sic ane vncouth slicht, few burrowis in Scotland haueing better, bot no remeid; thay went home with patiens perforce, and forsit to suffer this abuse for thair loyaltie to thair King.

Ritmaisteris, who, and how thay sould be raisit, and furneshit.

Now the comitte of estaitis had givin order to furneish out throw all Scotland a number of regimentis of ritmaisteris, consisting of 100 horss to ilk regiment; and he who could spend 50 chalderis of vittll of frie rent or money, to furneish out ane ritmaister, with suord, pistoll, carrabin, or lance, and ane horss worth 80 lib. And siclike, that thair sould be furneshit out footmen, with all kynd of provisioun necessar, sic as clothis, suord and mvscat, or hagbut, pik or speir, to serve in this seruice, wnder the pane of plundering.

Abirdene stentit to furneish out six ritmaisteris, quhairof the Oldtoun wes put to tua vpone thair chalderis.

Amongis the rest, (ilk schirrefdome being particularlie stentit and valourit throw the kingdome) both Abirdeins wes also valourit and stentit, and ordanit to furneish out (by and attour the footmen whiche wes givin befoir) the furnitour of six ritmaisteris, quhairof the poor Oldtoun wes put to tua, quhilk thay war vnhabill to do,

Thay gat good help.

not haueing so muche frie rent; bot thay gat about threttie chalderis of vittll and siluer rent out of the bischopis kavell, consisting of thrie cobles on the water of Done, and vther rentis out of the samen water, to help to mak wp this furneshing.

No antecovenanter nor papist so evill vsit as the subscriving covenanter.

Heir it is to be markit, that no antecovenanter nor papist wes thus vext nor stentit in thair landis, gudis, nor geir, bot onlie the covenanteris, quhilk bred suspitioun ane worss euill wes to befall thame.

Preparatioun for the Boull-rod.

About the 24th of Junij Felt Marschall Lesly is making gryte preparatioun to the Boull-rod, sie folios 229, 241.

The Lady Fraser departit this lyf.

[Anne] Haddan, Lady Fraser, dochter to the laird of Glenevasa,

[Gleneagles] depairtit this lyf about this tyme, hir lord being in Edinbrughe. He had gryt moyan by his mareage of the houss of Balmyrrinoche, Elphingstoun, Couper, in all his adois aganes Haddoche Gordoun.

Vpone Setterday 27th Junij, tua hundreth men with thair commanderis past out of Abirdene. Thay plunderit the landis of Balbithen, Hedderweik, Lethintie. Thay brak wp the laird of Newtoun Gordonis yetis and durris of Newtoun; thay spolzeit what thay could get on left put asyde, bot finding littil, thay barbarouslie brak doun beddis, burdes, almreis, and plenishing within the houss; syne plunderit out and about these boundis 12 horss fra the poor tennentis. Thay plunderit also the laird Drumis ground, (him self lying wardit in Edinbrugh) and tuke fra his tennentis about 18 horss. Thay also tuke ane honest man in the same ground callit James Irving, *alias* Scalpy, and siclyke, Mr. Androw Logy, minister at Rayne, Mr. John Cheyne, minister at Kintor, Mr. Williame Leyth, minister at Kinkell, Mr. Williame Strathauchin, minister at Daveot, Mr. Samuell Walker, minister at Monkegie. Thir fyve ministeris wes takin as out-standeris. Thay gat no libertie to ryd vpone horss, bot compellit to go on foot with thir soldiouris, who altogidder, with thair pray of horss and goodis, returnit bak to Abirdein vpone Wednisday the first of July. Thus wes this poor countrie brocht in gryt miserie be thir and the lyk oppressiouns, without warrand of law or justice, yea, expressly contrair to his Majesteis former proclamationis.

Balbithen, Hedderweik, Lethintie, plunderit.

The yetis of Newtoun brakin wp, and violentlie dingis doun the plenishing.

Thay plunderit 12 horss.

Thay plunderit out of Drumis ground 18 horss

Thay tuke ane honest man callit James Irving, with Mr Andro Logy, Mr Johne Chein, Mr Williame Leith, Mr Williame Strathauchin, and Mr Samvell Walker, ministeris, as out-standeris. Thay ar brocht to Abirdein.

Gryt oppressioun contrar to his Majesteis proclamatiouns.

Vpone Tuysday the last of Junij, ane of capitane Dazellis soldiouris swyming for his pastyme, pitifully drount at the schoir of Abirdein; and ane old man of the toun, callit James Birny, wobster, aboue thriescoir tuelf yeiris of aige, heiring of his death, ansuerit he wissit all the rest to go that get, wes schortlie wairdit for these wordis, syne rode the meir, to his gryte hurt and pane. Thus, none durst speik nor do aganes thame.

Ane soldiour pitifullie drount.

James Birny wes wardit, and rode the meir for sum speiches.

Vpone Thuirsday, 2nd July, the Erll Marschall returnit bak to Abirdein from the parliament holdin in Edinbrugh. He sufferit the laird of Haddoche to go to Kellie from Dunnotter. It is trew he had quyttit the company of the Gordouns, as ye hard befoir, folio , and cled him self with the Erll Marschall, his neir cusing, and

Marschall returnis fra the parliament.

The Laird of Haldoch is with him, and forsit to follow him. He is fynit in 1000 merkis, and ane brave horss.

attendit and followit him south and north at his plesour, vtheruayis he behoveit to suffer plundering and oppressioun as the rest of his freindis did. In the mein tyme, it wes reportit he fynit him in ane thousand markis, and an brave horss worth 600 merkis, and causit him aganes his will to pay the samen.

Newtoun Gordoun yeildis to Marschall.

The laird of Newtoun Gordoun, seing the world go so, yeildit and cam in to the Erll Marschallis will, promesing to attend his seruice in all fortouns and aganis all persones at his command; and becaus he had no vther suirtie, he laid besyd the Erll his charter kist for his faithfull obedience. Nottheles, he keipit nather aith nor promeiss as he had promesit.

He pledgis his charter kist. He keipis not touchis.

Haddoche wes also fynit in 2000 merkis, sie folio 203, bot he cam hame, leaving the rest lying in waird by Marschallis moyan.

Marschall bringis home Haddoch out of Edinbrugh.

This same second of Julij, ritmaister Forbes chargeit Old Abirdein to mak preparatioun for lodging and intertynneing of 100 horss men in meit and stables, for payment, except thair beddis; bot the Lord luikit douñ vpone the oppressioun of this miserable toun, vnhabill to sustene thame selfis from cold and hunger, and deliuerit thame fra this oppressioun by the goodness off Marschall and Monro, who harknit to ane supplicatioun givin in by ane Oldtoun man, and incontinent causit haue thame all over to New Abirdein, thair to be quarterit that same instant nicht.

Old Abirdein chargit to lodge 100 horssmen in meit and drink.

The Lord delyveris them, and thay war quarterit in New Abirdein.

Frydday, 3rd July, thair wes told, vpone the calsay of Abirdene, about 28 schotis of cannon in a seafight anent the Coave, betuixt ane stranger gryte warr schip and tuo litle Scottis barkis, who wes chaisit in amongis the craiges of the Coive, whome the gryte schip durst not follow, and thairfoir schot to haue sunkin thame to the ground. Thay landit ane man, who haistellie cam to Abirdene declairing thair danger to Monro, craveing his help and aid, who incontinent directit capitan Dazell with 58 soldiouris mvskiteiris. Thay boitit over at Torrie, Marschall going him self to sie this sport. The schipman told that he feirit the enemy to burde thair schipis be boitis, and spoyll all there goodis. To prevent this danger, he convoyis thame secreitlie wnder the scowg of ane crag, to attend if any of thair boitis would louss, bot none cam; so scho left thir tua Scotis schipis in the cragis, and scho gois to the sea. Dazell returnes bak to Abirdein, and the tua Scottis schippis winis

Many schottis at tua Scottis barks anent the Coave.

Thay ar dvng in amongis the craggis.

Ane man cums a schoir' schowis Monro the danger, and craveing his help. He directis capitan Dazell with 58 mvskiteiris to attend, if any boitis cam fra the gryt schip.

None cam. Scho gois to sea, and Monrois men returnis to Abirdein. The barkis gois away also.

away, suppose sore sloppit; bot the covenanteris wes sum what dashit at the noyss of thir cannons, quhill the storme wes declairit. The covenanteris effrayit.

Word cam to Abirdene that the King wes raising gryte forces, sie folio , in England aganist our covenanteris. The King is raising forcess.

Vpone Setterday 4th July, Thomas Adamis cordiner in Old Abirdein his wyf, rakleslie schot, by ane pley fell out betuixt sum soldiouris and Alex^r Merser our owne tounes man, vpone the nicht, quhairby scho becam crippill on ane of hir feit, and walkit vpone staves. Thomas Adams wyf pitifullie schot, and becam a crippill.

Marschall, vpone the said day, rode doun to Kellie, quhair he stayit with his cusing the laird, quhill Monro took get to Strathbogie, as ye may schortlie heir. Marshall rydis to Kellie, and bydis with Haddoch.

Sonday 5th July, ane fast solempnlie keipit whill 5 houris efternone in New (bot not in Old) Abirdene, praying for peace; and that samen nicht, about 10 houris at evin, major Monro beginis to marche from Abirdein touardis Strathbogie. He had about 800 men, quhairof thair wes sum tounes-men, and six puttaris or schort peices of ordinans; and thus merchis that nicht to Kintor, quhair Marschall met him with sum companyis. (In Monrois absens, Collonell Alex^r, maister of Forbes, had ordouris with sum few soldiouris to keip Abirdein.) Monday, fra Kintor thay marche to Harthill, whose ground thay spoilit pitifullie, him self lying wardit in the tolbuith of Edinbrugh, as ye hard befoir, folio . Tuysday, thay marche touardis Garntullie, and did the lyke spoilzie be the way. Wednisday, thay marche, and on Thuirsday, 9th July, thay cam to Strathbogie; and be the way as thay cam, thay tuke horss, nolt, scheip, ky, callit the bestiall befoir thame, slew and did eit at thair plesour. Thay brak wp girnellis quhair euer thay cam to furnesh thame selfis breid. Thus cuminge efter this maner to Strathbogie, the first thing thay enterit to do, wes hewing doun the plesant planting about Strathbogie to be huttis to the soldiouris to sleip within vpone the night; quhairby the haill camp wes well providit of huttis, to the distroying of goodlie countrie pollice. The Marques of Huntlie being absent himself in England, Marschall sendis to his gooddams sister, the Ladie Marchiones of Huntly, to rander the keyis of Strathbogie, hir self duelling in the Bog, quhilk scho willinglie obeyit. Then thay fell to, mellit with the victuall girnellis, Ane fast in New Abirdein. Monro marchis from Abirdein touardis Strathbogy. His company. He cumis to Kintor. Marschall meitis him Collonell Alex^r. maister of Forbes keipis Abirdein. Fra Kintor to Harthill, and spoillis his ground. From that to Garntully, and so furth, spoizeing to Strathbogie. They hew doun the plesant planting about Strathbogie, to be huttis to the soldiouris. The Marquess of Huntlie is absent. Marschall sendis for the keyis of the place, quhilk he gat.

Thay enterit the office houssis, brakis wp girnellis, and makis good cheir.

quhairof there wes store within that place, tuke in the office houssis, began schortlie to baik, brew, and mak reddie good cheir, and, when thay wantit, took in beif, mvttoun, hen, kepon, and suche lyk, out of Glenfiddiche and Auchindoun, quhair the countrie people had transportit there bestiall and store, of purpoiss out of the way, from the boundis of Strathbogie. Aluaies, thay wantit nocht good cheir for a littill panes.

Johne Dvgar brakis louss, and takis a gryte number of goods out of Morray, and hes thame to Auchindoun.

In this mein tyme, a nottabill lymmar, seing the world go so, brak louss, callit Johne Dwgar, ane hieland roague, and fell to in his sort of plundering; likuaies stall, reft, and spolzeit out of the schirefdome of Morray a gryte number of countrie peoples horss, nolt, ky, and scheip, and brocht thame, but reskew, to the feildis of Auchindoun, quhair he wes feiding thir goodis peciablie. Monro heiring of this, sendis out ritmaister Forbes with good horssmen, and 24 mvskiteiris to bring bak thir goodis out of Auchindoun from this robber theif; bot Johne Dugar stoutlie baid thame, and defendit thair pray manfullie. Monro commandit to charge thame on horsbak, quhilk also thay baid quhill thay schot all thair gvnis, syne fled all away, and Forbes followit no more, bot returnit. Monro wes angrie at him, that he wold not follow and tak those lymmaris. He ansuerit, it was not ryding ground. The laird of Auchindoun being within the place with about 400 [40] of his freindis, who fled to the samen as ane strong hold for thair refuge, seing this pel mell betuixt Johne Dwgar and thir soldiouris, issuis out of the place about 16 horss and set vpone ritmaister Forbes, betuixt whome wes sum bikkering without gryt skaith. Monro, with more number of men, cums forduard to this guyss; bot Auchindoun wes forsit to flie bak to the place forsaid of Auchindoun with no skaith. Monro perseuit not the hous, finding it difficill to conquess; bot schortlie fell to plundering, and out of thir boundis took Dugaris goodis and vtheris, above 2500 heid of horss, meiris, nolt, and ky, with a gryte number of scheip, and transportit with him to Strathbogie, and, as is said, wes sold be the soldiouris to the awneris bak agane for xiijs. iiijd. the sheep, and ane dollour the nolt, bot still keipit the horss vnsauld. Schortlie thairefter, the place of Auchindoun wes willinglie randerit, the men within left the same desolat, and the keyis deliuerit to Monro. Forbes took for his pairt of this

Monro sendis out to reskew thir goodis.

Johne Dvgar defendit manfully.

Monro commandit to charge them on horsbak.

Thay fled.

The laird of Auchindoun setis vpon Monrois men.

Monro him self cumis forduard.

Auchindoun fleis bak to the place.

Monro plunderis 2500 heid of goods.

The scheip sold for ane mark, and the nolt for ane dollour; bot the horss wold thay not sell.

The place of Auchindoun randerit.

spoyll about 60 heid of nolt, and send to be fed vpone the boundis of Dyss, his good brotheris landis. Monro, heiring of this, compellit him to bring bak the same nolt fra Dyss to Strathbogie, and to sell thame to the awneris at 13s. iiijd. the pece; and thairefter worthellie casseirit him for his febill seruice in not following Dugar more stoutlie then he did.

Ritmaister Forbes his pairt of the spoyll.

Forbes casseirit worthelly.

In the meintyme Marschallis men, who wes plunderit be the Gordouns and thair companie at Straquhan, Kintor, and Halforrest, as ye may reid befoir, folio , wes soundlie payit bak at thair owne hand with the annuellis, but making of price. So an evill turne meitis ane vther.

The Erll Marschallis men takis payment of there plundering at Kintor, Halforrest, and Strnquhan.

Bot befoir Forbes wes casseirit, he proved truely stout in ane peice quhilk wes at Monrois command. He went to Morthlack, tuke his neir cusing Mr. Williame Forbes, minister thairat, brocht him perforce to Strathbogie, quhair Monro keipit him quhill he payit the fyne of 600 merkis, syne gat leive hame. Thus, Forbes with ane pairtie of soldiouris kyndlie and stoutlie did to his cusing, doing no harme, bot sitting peceably in his owne hous at Morthlack, feiring no trubbill.

The persone off Morthlak fynit by tirrany of his owne cusing.

The Marques with his thrie sones being absent out of the countrie, and haueing no heid nor capitane left amongis his kin and freindis, thay at last resolue to yeild and let thir storme pass. So both barronis and gentlemen, and vtheris able for seruice, cumis in and vndertakis seruice to go with Marschall to the Boulrod. Sic as war vnhable wes plunderit be the purss, and forsit to furnesh out able men. Bot nather wark horss nor saddill horss wes left about Strathbogie, bot either the maister wes forsit to by thair awin horss, or then to let thame go for serving of the army. Thair mvskatis, hagbuttis, suordis, pikis, pistollis, and lyk armour, pitifullie plunderit fra thame, quhaireuer Monro or his soldiouris could aprehend or get tryell of thame. He also plunderit the ground, barron, gentilman, hird, and hyreman, be the pvrss, be exacting of havie fynes according to thair pouer. This wes his careage at Strathbogie, sie moir, folios 216, 217.

The countrie yeildis to Marschall, becaus thay had no heid.

Horss plunderit about Strathbogy.

Gvnis, suordis, pikis, and all vther armour plunderit.

The barronis, gentrie, hird, and hyreman fynit.

It is said Marschall rode from Strathbogie to the Bog to viseit the Ladie Marchioness of Huntlie, his gooddames sister, who wes maid welcum, and to whome scho maid payment of hir tenthis.

Marschall rode to the Bog.

The lady payit hir tenthis

Scho send to Monro 50 angellis.

Scho also send to Monro fyftie golden angellis to by himself a horss with, becaus scho had not a worthie sadle horss to send to him, as he desyrit hir to do, sie more, folios 216, 217.

Bikkering betuixt Edinbrugh and the castell. Sindries slane.

Vpone Mononday 6th July, gryte bikkering betuixt the castell of Edinbrugh and the toune; ten tounis soldiouris slayne at the entrie of the vtter yet, and vther ten slayne within the entrie yet, and thair deid bodeis cassin out over the castell wall, to the gryt terrour of the tounes people, besides many vther sore hurt, occasioned, as wes reportit, for hanging of ane Scottis man callit Baxter, for convoying of ane packed of letteris (send be the King) to the capitane of the castell; bot his death wes surelie revengit be the castileans, quho kest out thair cullouris befoir.

The causs of this slauchter.

Ye hard befoir, folio 205, how sindrie ministeris wer summoundit be ordinance to compeir befoir ane committe holden at Abirdein the 7th of July. Well, this committe held be the same persones, folio 205, wes haldin, quhair Mr. Johne Forbes, persone of Auchterless, wes *simpliciter* deprivit; Mr. Johne Ross, minister at Brass, Mr. Ritchard Maitland, minister at Abirchirdour, Mr. Alex[r] Strathauchin minister at the Cheppell of Gareoche, Doctor Sibbald, ane of the ministeris at Abirdein, Mr. Androw Logie, persone of Rayne, with sum vtheris, wes all suspendit fra preiching to the thrid day of the nixt generall assemblie. Doctor Forbes of Corss and Doctor Scrogie both wes attending, yit none of thame at this tyme wes callit except Doctor Scrogie, he wes with the rest also suspendit. Sie moir of him heirefter.[a]

The person of Auchterless deprivit, and diuerss ministeris suspendit.

[a] 'After this I compeared before the committie in the colledge kirk in Old Aberdene, where I was bidden compear againe before them that same day efternoone, in the session house of New Aberdene, where compearing, I was challenged for not obeying the ordinance of the generall assemblie anent the covenant. I answered that I hade in my practise given obedience therto. But the moderator insisted that a part of the ordinance of the assemblie is that all subscryue the couenant. Whereto I replyed that this being only a difference of opinion concerning some poynts wherein diuersitie of opinion was tolerable in men possessing there opinion peaceably, and not making therwith any trouble or disquyetnesse, I wished them to consider kyndly heirof; that I could not sweare that I am convinced in my conscience of such an opinion, while as my conscience telleth me, I am not convinced of the truth thereof, and that I would reuerence the brethren and their opinion, but I could not sweare it, except I were perswaded therof in my conscience. I was charged their, apud acta, to compeare before the generall assemblie in Aberdene, vpon the twenty-ninth day of the next moneth of August, and, in the midtyme, to forbeare the exercise of my profession of diuinitie till then, which I

Wednisday 8th July, ane committe holdin in the Kingis College of Old Abirdein be the Lord Fraser, the maister of Forbes, the laird of Frendracht, Mr. James Forbes of Hauchtoun, and sum vtheris, for ordering the memberis thairof; bot thair wes nothing done, all contynewit to the nixt generall assemblie.

A committe holdin in the Kingis Colledge of Abirden, bot nothing done.

The said day, the balleis of Abirdein, haueing ordour fra Monro, went quarterlie throw the haill toune, and tuke wp the names of the haill men within brughe betuixt 60 and 16 in roll.

The names of Abirdein inrollit, and takin wp.

About this tyme Alex[r] Lyndsay, sum tyme of Vane, and Robert Keith, schiref deput of the Mernis, gryt gyderis of the Erll Marschall since the decourting of Robert Keith, writer, his reall servitour, alledging thame to haue pouer from the Tables, and constitute commissares for vplifting of the rentis of the bischoprik of Abirdein fra the tennentis and vassallis thairof, vpone Thuirsday 9th July, causit charge the fewaris of Old Abirdein to mak payment of thair few deuteis for the thrie last termis vpone thair discharge, wnder the pane of plundering. This vncouth charge wes haistellie obeyit, and in there names payit to George Middiltoun.

Old Abirdein chargit, wnder the pane of plundering, to mak payment of the bishopis rentis; quhilk wes schortly obeyit.

Richt sua order wes givin out for melling with the Kingis owne proper rentis. Thay vpliftit the Erll of Traquhairis rentis, except 5000 markis allottit to his lady to leive vpon, not within hir awin hous, bot within the Kingis pallace of Dalkeith.

The Kingis rentis.

Traquhairis rentis mellit with.

The Erll of Fyndlater had lykuaies ordour to vplift the laird of Banff his haill rentis, who oversaw not that bussiness, haueing no goodwill at Banf.

Order for vptaking of Banfis rentis.

Mr. Robert Farquhar maid commissare, and Walter Cochrum his deput, for vplifting of the tenthis and tuanteithis throw the haill schirefdomes of Mernis, Abirdene, and Banf; for the whiche thay

Mr Robert Farquhar and Walter Cochrum his deput, maid commissares for vplifting of the tenthis and tuenteiths

was not to exercise howsoeuer vntill the expiring of vacancie; but some brethren who compeared their also being suspended from the exercise of their ministrie till the Assemblie, the like was said to me concerning my profession. I returned home in peace, and praised God for his mercy toward me, beseeching his Divine Majestie to be with me at the generall assemblie, and to give a comfortable and a mercifull, a peaceable and a blessed euent therof. And I was comforted in the Lord our God, to whome be all and euerlasting praise.—Amen Upon the 10th day of Julii, 1640, I was again threatened by those that are requiring pecuniall fynes from the people, and I gave myself to prayer, beseeching the Lord my Sauiour to direct me, and to deliuer me, and to moue theise men to depart frum me, as he moued the Syrians to depart from Jehoshaphet.'—(Diary of Dr. John Forbes, fol. 135.)

within the schiref-domes of Abirdein, Banf, and Mernis.
Thair fie.
Ane band subscrivit be both Abirdeins to the Erll Marschall of gryt subiectioun.

had of monethlie fie 300 merkis. Attour, both Abirdeins wes chargit, wnder the pane of plundering, to subscrive ane band, quhairin ilk man suld submit himself, his lyf, his landis, his goodis, to the Erll Marschall, according to ane pouer grantit be the Tables to him, quhairof the coppie *verbatim* followis:—

Wee, all and euerie one of ws wndersubscriveris, considdering how just, equitable, and neidfull a thing it is to haue the commoun charges bestowit in the lait troubles of this countrie payit, and these who haue givin out money, victuall, or vther [goodis], and these who haue wndergone the burding thairof payit and releivit of the samen als spedellie and tymouslie as may be, do heirby hartlie, willinglie, and friely offer and promeiss for ws, oure aires and successouris, to pay and deliuer ilkane of ws for our owne pairtis, to &c. blank or there deputis apointit for receaveing of the samen, ten markis money of everie hundreth markis of yeirlie rent dew and payabill to ws and ilkane of ws for oure owne pairtis, conforme to the estimatioun to be maid of the saidis yeirly rentis, be 4 or ma suorne men in eche presbitrie in this kingdom, to whose determinatioun anent the saidis rentis wee heirby acquiess, conforme to the instructionis direct for that effect, and wnder the conditionis thairin contenit; quhilk soume of ten markis of euerie 100 merkis, as said is, we obleige ws and our foirsaidis to pay betuixt and the first of Aprile nixtocum, togidder with 10 merkis for ilk 100 merkis falzie, by and attour anuelrent incace of retentioun efter the said day. It is declairit, that becauss euerie man payis for his rent as if it war frie of ony debt or burding, except ministeris stipendis, few, and vther duteis dew to his Majestie, or with claussis irritant, thairfoir the debtour sall haue retentioun from his creditour of the lyk soum payit be him out of everie hundrethe markis of anuelrent of vther burding, providing the said anuel rent and vther deutie be aluaies payit within the yeir, or thrie monethis thairefter at the farrest, vtheruaies he sall haue no retentioun.

This vnlauchfull obscure band beiris registratioun, and wes for plane feir of plundering subscrivit be ws Oldtoun men vpone the 15th of July, 1640. Bot surelie nather payment nor plundering followit vpone this band, as wes daylie expected, aganes Old Abirdein; bot vtheris payit soundlie, as ye may heir heirefter, folio 218.

No danger followit vpon this band to Old Abirdein.

The capitane of ane Spanish friggot, with 7 men trecherously takin, wnder trust, be Collonell Forbes men.

Frydday, 10th July, ane Spanish friggot hapnit to cum to our bulwark. Collonell, maister of Forbes, now in Monrois place, governour of Abirdein, directis doun ane commander with sum soldiouris to try what scho wes. Thay speik. The capiten desyres, vpone assureans of saif returne, to cum a schoir, quhilk he with sevin of his soldiouris did; but schortlie, wnder trust, thay ar aprehendit

and perforce brocht wp to the toune, and thair demandit what wes there erand. Ansuerit, thay had ane pass fra there maister the King of Spayne; thay beleivit thay micht cum saiflie heir becaus of peace standing betuixt thair maister and our King, and if thay gat ony wrong, Abirden sould pay for it. Bot collonell Alex^r, maister of Forbes, most vniustlie and vnmercifullie causit put thir sillie poor strangeris within the tolbuith, quhair thay leivit in gryt miserie. The friegot, seing no returne of thair men, quiklie takis the sea, leaving thame in waird, quhairat the collonell wes sorie that scho so escaipit on rypit, quhilk wes veray hard to do, being a frigot of warr. Thir poor strangeris wes almost hungred to the death; thay cry out aganist this vndeserved crueltie lamentablie out at the tolbuith wyndois, saying, what euill thay haue done, put thame to ane tryell, and ather set thame at libertie or tak there lives, rather then to torment thame with hunger: no heiring at all. The merchandis, perceaveing this horribill crueltie, contributit amonges thame selffis to help to sustene thame in sum better sort. Now hapnit sum soldiouris to cum to the toune, and ar devysit to ly in the tolbuith; quhairvpone thir Spangzeardis ar removit and wardit in the correctioun hous, quhair thay remanit miserablie quhill the 27th of August, quhilk day 5 escaipit and fled away to Leith. The vther 3 went with Monro when he and his regment went south. This brave peice of service wes thus acted by this collonell, drawing on expenssis vpone the tounes merchandis, to sustene ill-tane innocent captiues, who had burding aneuch with their soldiouris besydis fed in the toune.[a]

Thay ar wardit without ressone, and pynit with hunger.

The frigot gois to sea.

Thair pitifull lament.

The merchandis helpis to sustane them.

Thay ar removit out of the tolbuyth to the correctioun houss. 5 escaipit and fled away. vther 3 went with Monro.

Thus, thir innocent persons wes burdeinable to Abirdein throw the wisdome of this collonell.

Setterday 11th July, capitan Middletoun cam with about 80 soldiouris out of the Mernis to New Abirdein, quhair thay war quarterit. His ordour wes to tak and aprehend suche persones as wold not subscrive to the Erll Marschall the submissive band of the contentis forsaidis. Alex^r Lindsay and Robert Keith, commissares

Capitane Middletoun, with 80 soldiouris, cums to Abirdein.

His charge is to get the submissiue band subscrivit.

[a] The following entry in the Treasurer's accounts seems to refer to the captives noticed in the text, and if so, it would appear that their usage during the latter part of their imprisonment had improved considerably:—

The 25th day of Julie begane with Anapell Barnet, for interteining of aucht Spaniardis, at 54s. the day, and payid hir for the 27th of August, is 33 rix-dollaris . . . . . —(Discharge 1639–40.)

[illegible] ... [illegible] ... [illegible] ... [

for ane protectioun to the nixt generall assemblie, and so leivit secure for a quhyll. Sie more heirefter of him, folio .

tectioun to the nixt generall assembly.

Monro now resolues to go to sie the bischop and the hous of Spynnie. He takis 300 mvskiteiris with him, with puttaris and peices of ordinance, with all vther thinges necessar, and leaves the rest of his regiment behind him, lying at Strathbogie abyding his returne. Be the way, sindrie barronis and gentilmen of the countrie met him and convoyit him to Spynne. The bischop of Morray (by expectatioun of many) cumis furth of the place, and spak with Monro, and presentlie but more ado, vpone Thuirsday 16th July, randeris the hous well furneshit with meit and mvnitioun. He deliueris the keyis to Monro, who with sum soldiouris enteris the houss, receavit good intertynnement. Thairefter Monro mellis with the haill armes within the place, plunderit the bischopis ryding horss, sadill and bryddill; bot did no more iniury, nor vsit plundering of anything within or without the houss. He removit all except the bischop and his wyf, sum barnes and seruandis, whome he sufferit to remain vnder the gaird of ane capitan, ane livetennand, ane serjand, and 24 mvskiteires, whome he ordred to keip that houss, quhill forder ordour cam from the Tables, and to leive vpon the rentis of the bischoprik, and onnawayes to truble the bischopis houshold provisioun, nor be burdenabill vnto him. Bot the bischop vsit the thrie commanderis most kyndlie, eiting at his owne table, and the soldiouris wes sustenit according to directioun forsaid. Monro haueing thus gottin in this strong strenth by his expectatioun, with so litle panes, quhilk wes nather for scant nor want givin ower, he returns bak agane to Strathbogie trivmphantlie, begining whair he left to plunder horss and armour, and to fyne everie gentilman, yeoman, man hird, and hyreman that had any money, without respect; and quhilk obedientlie, without a schow of resistans, wes done and payit, besydis there tenthis and tuanteithis whiche thay war lyabill in payment to the commissares, as occasioun offred.

Monro gois to Spynnie.

The bischop of Morray meitis him.

The houss is randerit.

Monro mellis with the armes, plunderit the bischopis ryding horss, bot no more goodis within nor without the place.

All man wes removit. except the bischop, his wyf, sum barnes, and servandis.

Thay ar gairdit, and the gaird to leive vpone the rent of the bischoprik, and not vpon the bischopis provisioun. The commanderis kyndlie vsit.

Monro returnis bak to Strathbogie, and beginis where he left to plunder horss, armour; and fyning everie man, who willinglie obeyit, besydis there tenthis and tuenteithis.

Thus he spolzeit and plunderit wp all, and keipit the moneyis fast, not paying his soldiouris as becam him, [they] leiving onlie vpone meit and drink without wages, quhilk bred a mvrmwring amongst thame selffis. Bot Monro quiklie pacefeit the samen by

His soldioris is not weill payit.

Thay mvrmwr.

Ane soldior killed, quhairby the mvrmwring wes quenschit

killing of the principall murmvrars, and ane seditious persone, with ane suord in his owne hand; quhairat the rest becam effrayit.

Monro, be instigatioun of Fyndlater, spolzeis and plunderis Harie Gordouns ground, abusis his houss of Glassache, takis his goodis, him self and his tuo sonis narrowlie escaiping.

It is said, about this tyme. be the instigatioun of the Erll of Findlater, Harie Gordoun of Glassache, his owne cusing german, his ground wes spolzeit and plunderit, his place of Glassache abusit, his goodis takin away out of Auldmoir, him self with his tuo sones narrowlie escaiping; done by Monrois soldiouris be instigatioun forsaid. Thus, at Strathbogie lyis Monro quhill the tent day of August, as ye may sie heirefter, folio 225; and, lykuaies, as ye may reid befoir, folios 210, 211, 212.

Monro lyis at Strathbogie quhill the 10th of August, vsing oppressioun.

Mr. Dauid Leiche, minister at Logy, cumis in and preichis ane penetentiall sermon.

Sonday 19th July, Mr. Dauid Leitche, minister at Logy, ane principall outstander and gane stander of the covenant, and who had left his churche, his charge, his countrie, and went into England, as ye may reid befoir, folio , at last he returnes hame, becumis penitent, and the forsaid Sonday he in Old Abirdein preichit ane penitentiall sermon, directit be our churche, quhilk that day wes not found satisfactorie; thairfoir, wes once agane ordanit to preiche, vpone the 14th of September, ane vther penetentiall sermon in the kirk of New Abirdein, quhilk he did, and wes found satisfactorie; quhairvpone he wes kyndlie receavit to his churche and charge, quhilk he wes loth to want, and thairfoir yeildit first.

It is not found satisfactorie.
He preichis agane, and is receavit be the kirk, who cam first of all the rest.

Ane Scottis schip, ladnit with pulder, ball, mvscat &c. landit at Montross.

The foirsaid Sonday thair cam to the raid of Abirdein ane Schottis schip ladnit weill with pulder, ball, mvscat, cartow, and vther armour, brocht fra Holland, intending for Leith; bot scho espying ane gryt schip lying at anker, taking hir to be ane of the Kingis schippis avaiting vpone hir, scho tuke no anker, bot swiftlie saillit about the nvke touardis Montross, disladnit hir burden, quhilk the estaitis, as wes reportit, wold not suffer to be brocht about be sea, bot only be land, for feir of danger, becauss Edinbrughe stood in gryte neid of sic provisioun.

Alexander Gordoun of Brasmoir is takin, had to Marschall.

About this tyme and a litle befoir, viz., vpon Tuysday 14th July, Alex^{r} Gordoun of Brasmoir was takin be ane pairty of Marschellis soldiouris out of his owne hous in Old Abirdein, and had to the toune in quyet maner, quhair Marschall fynit him in 2000 merkis. Aluayes, vpone conditioun he sould go with Merschall to the Boulrod, he suld be frie, and so cam bak to his own houss; quhairat the Oldtoun wes weill content. He rode south with Merschall ons vpone

He is fynit, yit not takin wp.
He, vpone conditouns, returnis to his own houss.

his owne expenssis to Edinbrugh, bot never more; so wan frie of fyne and of going to the Boul-rod.

Mononday 20th July, Marschall cam to the Oldtoun, commandit the balleis to mak out of there toun 20 soldiouris, and deliuer thame to one of his soldiouris callit Schir Johne Douglass, to help to mak wp his regiment, with aucht scoir pundis in money for thair fourty dayis loan; quhilk for plane feir thay war forst to do, being sillie waik poor bodeis. Then the Oldtoun is commandit to furnesh thame armes. Thay said thair armes wes plunderit fra thame be collonell, maister of Forbes, and Cragivar; so thay had none to furnesh. Then it wes speirit with what armes thay servit the Lord Aboyne. Thay said with the Kinges armes furneshit be the laird of Cluny, who had receavit thame bak agane. Wherevpone letteris wes direct, commanding Cluny to deliuer bak to the Oldtoun soldiouris, bot Cluny wes not at hame. Auchterfoull maid ansuer, these armes wes had to Auchindoun long ago; bot for eschewing of forder tryell he send in six mvskitis. Thair wes tane out of the colledge, belonging to the Marques of Huntlie, sevin; and vther sevin wes furnishit be commissare Farquhar at Marschallis command. Thus wes the Oldtoun soldiouris armit, and the toun maid frie. Thus thay did, by and attour the furneshing of vther fyve foot soldiouris and ane rit-maister, as ye may reid befoir, folio .

Marschall cumis to Old Abirdein, pressis 20 soldiouris with fourtie dayis loan at viii^{xx} lib.

Sie how thay ar furneshit of armes.

Six mvscatis cumis fra Cluny, sevin fra the colege belonging to the Lord Marquess, and 7 at Marshallis command furneshit.

Wednisday 22nd July, these burgessis of Abirdein who had subscrivit Marschallis submissive band, cruellie fynit be him self in thair goodis, and ilk man compellit to mak payment that same day, in reall money, of thair fynes to Marschall, him self being present. Thus is that noble brughe daylie more and more vext be slicht and be micht; bot surelie God delyuerit Old Abirdein fra this scurge, and none fynit in ane grot vpone this submissiue band. Sie more heirefter, on this samen side, how this crueltie wes mitigat.

Marshall, vpon the submissive band, fynis New Abirdein cruelly.

Ye hard befoir, folio , how the goodman of Harthill wes wardit in the tolbuith of Abirdein. Now, luiking out at the tolbuith windois, he raillit out aganes sum honest men going anent the tolbuith. Quhairvpone thay fetterit him fast that he sould not cum neir the wyndo, and fastnit his fut in ane changzie, giving him libertie to walk wp and doun, bot not neir the tolbuith windo. Besydis, he wes tormentit with hunger, (for he gat not his fill of food,

Harthill raillis aganes sum honest men. He is fetterit.

He is changzeit, and sore hungred, pitifull to sie.

quhilk bred him a sort of madness), without regaird to his place, to his persone, now sum quhat seiklie. He is straitlie keipit for a litle offence. Sie more heirefter, folio 258. He was thus changet vpone Wednisday 22nd July.

Letteris cumis fra the Tables to Marschall in favoris of Abirdeen, be the quhilk they fand meir favour of there ryals.

This Wednisday foirsaid, Mr. Mathow Lumsden, comissioner for Abirdein to the conventioun of burrowis holdin at Irving, returnit hame, bringing with him ane packet to the Erll Marschall, direct from the Tables, desireing him not to vse the toun of Abirdein, who had subscrivit the band, rigorouslie, sic as wes freindis to the good causs; bot to vse suche as wes knowne enemeis to the good causs at his lyking. Efter recept of thir letteris, Marschall desirit the toune to mak ane list of six persones, of the best men of knouledge within the brughe, and out of this six he sould draw out tua, who sould behold and sie his proceidinges, and be whose advyss he sould tyne or absolue. Out of thir six he drew out Mr. Robert Farquhar and Johne Leslie, to sit and give thair advyss in thir effaires; quhairby the inhabitantis fand sum more favour.

Marschall meitis with the taynis of Drum and Pet fodellis; taynis the ground prepair men for the Bordland quhilk thay war forsit to obey, being tennentis and maisteredres

Thursday 23rd July, the laird of Elsick, and Androw Hamptoun, servitour to Marschall, with liuetennant crowner Middiltoun, wes by Marschall direct to go to the landis and barroneis of Drum and Petfoddellis, and thair tenss and hald courtis vpone the tennentis, and decerne thame to pay thair byrun deuteis to Marschall, and to tak now takis of him as *dominus feudi*: and with all to prepair men for the Bordland. The poor tennentis, wanting thair maisteris, Drum being lyeng in the tolbuith of Edinbrugh, and Petfoddellis fled out of the countrie as ane antecovenanter, knew not what to do, nor whome to obey, yit forsit to yeild to Marschall.

Capitane Baird, with 80 soldiouris, was quarterit in Old Abirdein one thre nicht

Setterday 25th July, capitane Baird, with about 80 soldioris, futmen of collonel Lex' maister of Forbes regiment, wes quarterit heir in Old Abirdein, to leve vpon the tenthis and tuenteithis within the collonells dimissour apointit to him be the Tables, and not to have the quarteris within the toun. Ilk soldiour had weiklie gevin in allowance xx bon thrie pectis of meill at four sh. the pect, to sustene him meit and drink. The capitane and vther officiaris had

That wes of the maister of Forbes regiment and first company that wes quarterit heir

their sustentatioun also bot ony burden to the toun. This wes the first compans that wes quarterit in Old Abirdein, and had no gryt harme by thame, except in bed roumes, quhilk wes furneshit weill

to the capitan and officiaris, bot the soldiouris lay in thair plaidis. This capitane wes treulie callit Forbes, bot nik named Kard, becaus when he wes ane boy he servit ane Kaird. He wes ane prettie soldiour; he causit big wp ane trene meir at the cross for pvnishing of trespassing soldiouris, according to the disciplyne of warr. Sie more, folio 242.

This capitans richt name was Forbess.

He causit big ane trein meir.

Generall or Felt Marschall Leslie, be advyss of our Scottis estaitis, resolues to raiss ane army, and go speik with the King himself in England, since thay could get no pleasant ansuer to thair daylie petitionis; quhairof the tennour of one heirefter *verbatim* followis, coppeit from the print:—

Felt Marshall Lesly resolues to go in England.

To the Kingis most excellent Majestie, the petitioun of the commissionarie of the lait parliament and otheris, his Majesteis loyall subiectis of the kingdome of Scotland.

Humelie schoweth,

That where, efter our many sufferingis this tyme past, extreme necessitie hath constraned ws (for oure releiff, and obteining of our just and humill desires) to cum into England, where, according to our intentionis formerlie declared, we haue in all our journey leivit vpone our meinis, victuallis, and goodis brocht a long with ws, and nather trubling the peace of the kingdome, nor harming any of your Majesteis subiectis of whatsoeuer qualetie, in persone or goodis, haue careit our selfis in a most peciable maner till we war pressed by strenth of armes to put suche forces out of the way, as did, without our deserving, and as sum of thame (at the point of death) haue confessed, aganes there owne consciens, oppose oure peciabill passage at Newbury on Tyne, and haue brocht there blood vpone there owne heidis, aganes our purpoiss and desyre expressit in our letteris sent vnto thame at Newcastell, for preventing of the like or greater inconveniences; and that we may without furder oppositioun, cum into your Majesteis presens, for obteining from your Majesteis justice and goodness, satisfactioun to our just demandis, we, your Majesteis most humill and loyall subiectis, do still insist in that submissiue way of petitioning whiche we haue keipit since the begining, and from whiche no prouocatioun of your Majesteis enemeis and ouris, no aduersitie that we haue befoir sustenit, nor prosperous success that can befall ws, salbe abill to divert our myndis; most humelie intreating that your Majestie wold, in the deip of your royall wisdome, considder at last of our pressing greivances, provyd for the repairing of oure wrongis and loissis, and with the advyss and consent of the estaitis of the kingdome of England, convenit in parliament, sattle a firme and dureabill peace aganist all invasioun by sea or land; that we may with cheirfulnes of hairt, pay to your Majestie as our natiue King, all deutie of obediens that can be expected from loyall subiectis, and that aganist the many and great evillis, whiche at this tyme threaten both kingdomes, whairof all your Majesteis good

Nota.

Sie the tenthis, tuenteithis; plundering for men, armes and loan; fynes in Abirdene, Banf, Strathbogie; casting doun of housis, Airlie, Fertour, Banf; taking off vther houssis in throw the haill kingdome; plundering off houssis, horssis, men and moneyis, since the beginning of thir troubles; deposing bischops, and ministeris, and doctouris, and placeing in thair places of vther men; as is cleirlie provin be this treatise.

[illegible] ... [illegible] ... [illegible] ... [

Alex^r Gardyne, thrie of the regentis, Mr. Alex^r Scrogie, the fourt regent, (and the principall, Doctor Leslie, being alreddie deposit, as ye may sie, folio , wes not callit nor summondit) Mr. Johne Gregorie, minister at Dulmaok, Mr. Androw Logie, minister at Rayne, Mr. Johne Ross, minister at Brass, Mr. Johne Guthrie, persone of Duffus in Morray, Mr. Ritcherd Maitland, minister at Abirchirdour, Mr. Alex^r Strathauchin, minister at the Cheppell of Gareoche, wes, with diuerss vtheris of the ministrie, summondit to compeir befoir this generall assemblie. Being callit (for vther wechtie effaires) thay ar continewit and referrit to ane committe, to be haldin in the Erll Marschallis hous vpone the last of July instant, callit the committe of the generall assemblie. And that day, thair convenit the Erll Marschall, the Erll Findlater, Lord Fraser, collonell, maister of Forbes, (to whome also cam vpone the morne the Erll of Seafort) and the foirsaid Mr. Androw Ramsay, moderatour, persones of this generall assemblie committe; and being set within the Erll Marschallis houss, Mr. Androw Ramsay, moderatour, causit call the foirnamit persones. And first, he began at Doctour Forbes of Corss, and efter sum quereis and ansueris, no more process past aganes him at this tyme, bot wes continewit vpone good hoipes of his incuming; bot he could onnawaies be moveit to subscrive the covenant; quhairvpone he wes also deposit from his place of professor, as may be sene heirefter, folio 299.[a]

Thir persones referrit to ane committe of the generall assembly.

The persones of this committe.

Doctor Forbes is first callit and questiound.

And continewit, albeit he refuisit the covenant.

2. Doctor Scrogie is accusit for not subscriveing of the covenant; besydis for concealling of adultereis within his paroche and sum fornicationis, abstracting of the beid menis rentis in Old Abirdein, with sum vther particularis malitiouslie givin wp aganes him; and quhairvpone Mr. Thomas Sandilandis, commissare, (his extreme enemy) Mr. Thomas Lillie, and Thomas Merser, wer brocht in as witnessis, efter Doctor Scrogeis ansuer to ilk article wes first wrettin. Bot schortlie, vpone the first day of August, be this committe wes he deposit and *simpliciter* deprivit, and preichit no more at Old Abirdein nor elss quhair. Sie more heirefter, folio 256.

Doctor Scrogie is accusit and deposit.

3. Doctor Sibbald wes accusit for not subscriveing the covenant, and vpone preiching of erroneous doctrein and Armenianisme. His

Doctor Sibbald accusit of erroneous doctrine.

[a] For Dr. Forbes' account of the proceedings against him, see Appendix.

His paperis ar brocht.

paperis wes brocht in by ane rate of muskiteris, at command of the committe, out of his owne houss, pairtlie writtin be him self and pairtlie be vmquhill Williame Forbes, bischop of Edinbrughe, whiche wes pairtlie found orthodox pairtlie vtherwayis, as ye may sie, folio .[a] Thair wes also ane minister called Rutherfurd, who hapnit to be wardit in Abirdein at King James command. He heiring Doctor Sibbald at that tyme preiche, stude wp and accusit him of Armenianisme; bot he defendit him also. At last he wes deposit, fled his countrie with grevous hairtis, and past in England.

Rutherfurde accusis him of Armenianisme.

He defendis him self.

He is deposit, and fleis the countrie.

Mr. Johne Gregorie deposit, by his fyne.

Mr. Andro Logy deposit.

Doctor Leely, and Mr. Alex^r. Scrogy younger, there depositiouns approvin.

Mr. Johne Ross offeris to subscrive the covenant.

He is receavit, and ordanit to preich penetentiall sermonis.

Mr. Johne Guthrie and sum otheris continewit.

4. Mr. Johne Gregorie, minister at Dulmaok, (by and attour his fyning in 1000 merkis, as ye may sie befoir, folio , and heirefter, folio 289) is now depoisit. Mr. Androw Logie deposit. Doctor Leslie, principall, and Mr. Alex^r. Scrogie, younger, thair depositionis ratefeit and approvin. Mr. Johne Ross, minister at Brass, with teiris cums in and offeris now to subscrive the covenant with hairt and hand. He is resauit, and inioynit to preiche so many penetentiall sermonis, thairefter to be receavit at his awin kirk agane, as ye may sie, folio 290. Mr. Johne Guthrie, Mr. Ritchard Maitland, Mr. Alex^r. Strathauchin, and sum vtheris, vpone hope of yeilding, ar contynewit. Thus this committe of the generall assemblie dissoluit.

The assembly dissolues.

Now at this generall assemblie thair wes agitat ane kynd of seruice, commmounlie callit the *Famely of Love*, whiche wes keipit on the nicht be fameleis of men and wemen, haueing thir prayeris and thair owne deuotioun. This wes complanit vpone, as holdin in Edinbrugh and Striviling, and ordanit to be suppresst.

The Famellie of Love ordanit to be suppresst.

Forder, vmquhill Doctor Barronis wyf wes, by command of this assemblie, be ane rate of myskiteris brocht out of hir awin hous in Strylay, with hir husbandis preiching paperis; quhilk being sein be the assemblie, wes not found sound. Thair wes also brocht thair ane missive letter direct be the archibischop of Canterburie to the said vmquhill Doctor Barron, with tua vther missives, direct to him and vmquhill Mr. Alex^r Ross, fra the bischop of Ross, all tending to the mantenans of Armenianisme, promeising thairfoir

Doctor Barronis wyf brocht out of Strylay in to Abirdene with hir husbandis paperis, and not fund sound be the assembly.

Sum missives found tending to Armenianism, whiche, with the paperis they took, and suffert the wyf to go.

[a] For the proceedings against Dr. Sibbald, see Gordon's Scots Affairs, vol. iii. Appendix ii., p. 274

rewaird, and with all willing thame to caus Raban imprint in the book of commoun prayer sum passages of Armenianisme; quhilkis paperis and letteris thay careit with thame, and sufferit the gentil woman to go.[a]

Mononday, 3rd August, Mr. Androw Cant, by voice of the generall assemblie, is ordanit to be translatit fra Newbottill to Abirdene to serve at the kirk thairof. Bot he went first preiching to Generall Lesleis camp at Newcastell. Sie more heirefter, folio 333.

Mr. Androw Cant is apointit to cum to Abirdein.

He first servit in Leslyis camp, at Newcastell.

Wednisday, 5th August, the Erll of Seafort, collonell, maister of Forbes, Mr. Johne Adamsone, principall of the college of Edinbrugh, Williame Rig, burges thair, Doctor Goold, rector of the Kingis College of Old Abirdein, with sum vther barronis and gentilmen, held ane committe at the said Kingis Colledge, quhair Mr. James Sandilandis, dischargit abefoir to be canonist, is now maid ciuilist, loth to want all.

Ane committe holdin in the Kingis college.

Mr. James Sandilandis maid ciuilist.

Thairefter thay cam all ryding wp the get, cam to Maucher kirk, ordanit our blissit Lord Jesus Christ his armes to be hewin out of the foirfroont of the pulpit thairof, and to tak doun the portrait of our blissid virgyn Marie and hir deir sone babie Jesus in hir armes, that had stand since the vpputting thairof, in curious wark, wnder the sylring at the wastend of the pend, quhairon the gryte stepill standis, on movit quhill now; and gave ordour to collonell, maister of Forbes, to sie this done, quhilk he with all diligence obeyit: and besydis, whair there wes ony crucifixis set in glassin windois, this he causit pull out in honest menis houssis. He causit ane mesoun strik out Christis armes in hewin wark, on ilk end of bischop Gawin Dumbaris tomb; and siclike chissell out the name of Jesus, drawin ciphar wayis, JHS, out of the tymber wall on the foirsyd of Maucher Iyll, anent the consistorie dur. The crucifix on the Old-toun cross dung doun; the crucifix on the Newtoun cross cloissit wp, being loth to brak the stane; the crucifix on the wast end of Sanct Nicholas kirk in New Abirdene dung doun, quhilk wes neuer troublit before. Bot this diligent collonell, maister of Forbes, keipit not place long tyme thairefter, bot wes schortlie casseirit, as

Thay cum ryding to Maucher kirk, ordanit Christis arms to be hewin out.

Maryis portracture tane doun be the Maister of Forbes.

Crucifixis takin out of wyndois.

Christis armes at Gawin Dumbaris tomb hewin doun.

Jesus cipher chissillit out.

The crucifix of the Old-toun cross dung doun.

The crucifix of the New-toun cross cloissit wp.

The crucifix on Sanct Nicholass kirk dung doun.

All be this Collonell Maister of Forbes, who keipit not place long thairefter.

[a] Gordon's Scots Affairs, vol. iii., p. 235.

ye may sie, folio 228; and efter diuerss fortouns at last he, with his lady, went to Holland to serve, sie folio .

James Morray, assembly clerk deput.

Now thair wes diuerss and sindrie actis maid at this assemblie, quhilk is heir referrit to thair awin bookis. James Morray, seruitour to Mr. Archibald Johnstoun, wes substitute clerk to this generall assemblie.[a] Amonges the rest of thair actis, it wes ordanit that prayeris sould be maid at all paroche churches within Scotland for the good and happie success of the armie, then rysing to go to England to speik the King, as ye may sie befoir, folio 220, at thair petitioun, and heirefter also, folio . Thay indictit ane new generall assemblie, to be haldin at Sanct Androiss the thrid Tuysday of Julij nixt, 1641, thairefter dissoluit; and ilk a man ane sindrie get, who had mony blissingis following thame for eiting and distroying of the poor laboreris cornis about the toun with there ill attendit horssis, quhairof thay had littill regaird.

Prayeris at all churches ordanit for the success of the army.

Ane vther generall assembly indicted to be at Sanct Androis the thrid Tuysday of July, 1641. So thay dissoluit, as said is, with many malisouns.

Doctor Goold preichis in Old Abirdein. Mr. Robert Ogiluy subscrives the covenant.

Sonday 9th August, Doctor Goold preichit befoir and efter nones in Old Abirdein. Mr. Robert Ogiluy, subprincipall, publictlie sitting in Alex[r] Gordoun of Brasmoiris deass, as he wes ordanit by the presbitrie, subscrivit the covenant efter foirnones sermon, quhilk the persone of Balhelvie had refusit abefoir, folio . Prayer maid for the King, and alss for ane good success to the army going for the King, albeit at his first subscriveing of the covenant it wes with limitatioun, sie befoir, folio , and now he prayis for the army, who wreit out ane pamphlet aganes the raising of armes, sie folio .

Prayer for the King and for the army, albeit he writ aganis the raising of armes, and first subscrivit the covenant with limitatioun.

Many burgessis and craftis prest to fill vp Marshallis regiment.

The honest touns men fiels.

Mononday 10th August, sevinscoir burgessis, craftis, apprenteissis, prest and perforce takin, to help to fill up Marschallis regiment to go to Generall Leslie. The honest men of the toun, wondering at this many fold oppressioun, fled, took fisher boitis and went to the sea, lurking about the cragis of Downy whill this storme past. Sie folios 226, 227.

Monro liftis his camp fra Strabogie. The pallace got no wrong. The keyis restorit, except

Mononday 10th August, Monro liftis his camp fra Strathbogie, sendis bak the haill keyis to the Lady Marchioness, but doing any offence or deid of wrang to that statelie pallace; bot thay, amongis

[a] The 20th day of August, to James Murray, clark to the assemblie, for extracting suche actis as conserned the tune, ... £13 9 4 (Guildry Accounts, 1639-40.)

the rest, tuke wp mekill bleichit cloth in hole wobbis bleiching wp and doun Strathbogie ground, quhairof there vses yeirlie thair to be plentie, and wold hang over the wallis of the place haill webbis (pitie to behold) to dry, to the gryte hurt of the poor countrie people. Monro had lyin thair or his army, except going to Spynnie, as ye haue hard befoir, fra the nynt of July to this tent of August, when thay liftit the camp. Thay set all thair lodges in fyre, thay toomit out what wes left on spent within the girnellis, thay careit with thame sum men, moneyis, horssis, armes, distroyit the bestiall, and left nothing behind thame quhilk micht be careit. Thay left that countrie almost manless, moneyless, horssless, and armless, so pitifullie wes the same borne doun and subdewit, but ony mein of resistans. Thay sueir and subscrivit the covenant most obedientlie, and now Monro leaves thame thus pitifullie oppressit, as becum good covenanteris now of the new, and forduard marchis he to Forglyn, one of the laird of Banffis houssis, and to Muresk, his goodsones hous, (thame selffis both fled fra the covenant into England) plagueing, poinding, and plundering the countrie people belanging to thame, and be the way most cruellie, without ony compassion; syne cums directlie to the brughe of Banf, and encampis vpone ane plot of plane ground callit the Dahauche. The soldiouris quiklie fell to, and cuttit and hew doun the plesant planting and fructfull young treis, bravelie growing within the laird of Banffis orcheardis and yeardis, (pitifull to sie) and maid wp to thame selffis huttis quhairin to ly all nicht, and defend thame from stormy weitis and rayne. Thay violentlie brak wp the yettis of his statelie palace of Banff, brak wp durris, and went throw the haill houssis, roimes, chalmeris, victuall houssis, and vtheris, wp and doun, brak wp the victuall girnallis, quhairof thair wes store, for thair food, spoilzeit his ground and his haill freindis of horss, nolt, ky, and scheip, siluer and moneyis, and armes, sic as by any meinis thay culd try or get. By and attour the Erll of Findlater, his vnnaturall freind, by command of the committe, mellit, intromettit, and perforce tuke wp his haill rentis and leiving out of the tennentis handis for mantenans of the good causs. Sie more, folio 243.

thay wold hing over the wallis mekill bleitchit cloth.

There lodgis set on fyre

What victuall wes left thay toomed out of the girnellis.

Thay left nothing that micht be careit.

Thay left the countrie almost manless, moneyless, armsless, horssless.

Thay sueir and subscrivit the covenant.

Thus, Monro leaves Strathbogy sore plungit and opprest.

He marchis to Forglyne and to Mvresk—Banf and his good sone being in Ingland.

Thay plunder and poind there ground pitifully.

He cums to Banf.

Hutis agane maid wp of the plesant planting.

Thay brak wp durris, yetis, and windowis of the fair pallace. Thay went throw all; brak wp girnellis; spoilzeit his ground and his freindis both of horss, nolt, scheip, gold, siluer, arms, and all that thay culd get.

Mellit with his haill rentis.

Tuysday 11th August, collonell Alex^r, maister of Forbes, directit out ane pairtie of mvskiteris from Abirdein to the barrony of Bal-

Collonell Maister of Forbes getis payment perforss of the tenthis of his diuisioun.

gowny, and parochins of Old and New Sanct Macher, and vther landis within his divisioun apointit to him be the Tables, commanding the heritouris wnder the pane of plundering, to pay to him the tent penny of thair frie rent, quhilk for feir wes obeyit and payit.

The fourt man prest with arms and furnitour.

He commandit also to press and tak wp the fourt man perforce of both poor and ritche, and ilk heretour to furnesh his prest man with 40 dayis loan, and armes conforme, to the effect this collonellis regiment micht be fullie maid wp; and who hapnit to disobey, the soldiouris sat doun in thair houssis, and leivit vpone thair goodis, spending aboundantlie. Sie heirefter, folio 227.

Who disobeyit, the soldieris to duell vpone them.

The Erll of Niddisdaill stoutlie defendit Lochmaben and Scarlauerok.

Word cam to Abirdein the foirsaid Tuysday, that the Erll of Niddisdaill, standing to the Kingis opinioun, with crouner Steuart and sum brave soldiouris, manfullie defendit tuo strong holdis, Lochmaben and Skarlauerok, aganes the feirfull assaultis of ane capitan Cochrun accompaneit with about 700 soldiouris, and slew with schot sindrie of the assailantis.

Marschall cums to Abirdein, collectis his men.

Frydday, 14th August, the Erll Marschall cam in to Abirdein, collecting of his awin men who cam out of Buchane, Mar, and Mernis willinglie; pressing of vtheris, and with the rest sevinscoir out of New Abirdein, as ye hard befoir, folio 225, and sic vtheris as he could get within the boundis of his divisioun, appointit by the Tables and our Oldtoun cavalliary also. The laird of Haddoche cam in to him, the laird of Newtoun baid abak, albeit his charter kist wes in Marschallis company for his loyaltie; Alex^{r} Gordoun of Brasmoir maid him reddy, weill horsit, to go rather then to pay his fyne, and with the rest gois forduard. So vpone Mononday he takis journey, the 17th of August, out of Abirdein touardis the Boul-rod, leaving behind him Collonell Alex^{r}, maister of Forbes to be governour in Abirdein. He rydis to Inglissmadie, takis wp ane muster of his men, and had bot about 800 men, whair as his regiment consistit of 2000 men. He wes wroth at suche as had brokin promess. He haistellie rydis to Edinbrugh to complane vpone thir delinquentis; chargeing his brother-german capitan Robert Keith, to mak wp, with the sevin scoir men takin out of New Abirdein abefoir, ane hundreth and fyftie soldiouris, with fourty dayis loan; commanding the brughe also not to receave nor intertynne any of the run-away soldiouris, wnder all hiest pane, quhilk wes deulie

Haddoch cam in to him.

Newtoun baid at hame.

Brasmoir is reddie.

He takis journey from Abirdein.

Maister of Forbes left governour of Abirdein.

Marshall mvsteris his men.

Thay ar not of number.

He is angrie, rydis south, leavis charge with his brother to follow him with his regiment.

None to receave a run-away.

obeyit; and ordanit this capitane to follow him with his regiment, and sic vtheris as he could get, who wes weill furneshit with the toune of Abirdeins brave armes; and forduard gois he to the Erll, whair his men, musterd at Mussilbrughe, drew to about 800 foot men and 600 horssmen, and directit thame with his brother to go to Generall Leslie, and him self returnit bak to Abirdein, making gryte serche for mo soldiouris. Alex^r Gordoun returnit bak with him fra Edinbrugh to Dunnotter, quhair he left him, syne had libertie to cum to his owne hous in Old Abirdein; bot returnit not bak agane to Marschallis seruice, bot baid still at hame, with out fyning or vther perturbatioun.

Marshall mvsteris at Mussilbrughe. He sendis thame to Leslv.

Him self returnis to Abirdein, making serche for mo soldiouris.

Brasmoir cums with him to Dunnotter. He is not farder perturbit.

Collonell maister of Forbes, now governour, in Marschallis absens, of the toune of Abirdein, took wp his duelling in Williame Scottis houss anent the marcat cross, him self fled the good causs out of the kingdome; and the collonell schot his wyf and barnes to the dur, whowsone he enterit the hous, whilk wes vpone the 18th of August, and began where Marschall left, to oppress and plunder the haill countrie within his divisioun, and daylie send out pairteis of mvskiteris to honest mens houssis in Macher parochis agane for the fourt man, armes, and 40 dayis loan to mak his regiment, vtheruayis to duell vpone thame, and to bring in the maisteris thame selffis, quhilk perforce thay behovit to obey, and to pay over agane; pitifull to behold. Marschall and he sortit not weill vpone thair divisionis; quhairvpone he convenit the Lord Fraser and about 100 gentilmen of his kin, who, vpone thair awin charges convoyit this collonell to the Tables to complane vpone Merschall, who had nather left man nor money within his diuisioun, whome Mershall also followit. Sie more, folio 255.

Collonell Forbes enteris Williame Scottis houss.

He oppressis the countrie agane for the 4 man and 40 dayis loan, quhilk wes obeyit perforss.

Marshall and he sortit not weill vpone thair diuisions.

He rydis south to complane.

Setterday, 15th August, proclamatioun maid at the cross of Abirdein, chargeing all maner of man in brughe or land within the schirefdome, to pay the tent penny of there rentis, victuall rent, siluer rent, or anuelrent. 2. To deliuer thair siluer wark, vpon securitie for repayment of the price, according to the wecht thairof. 3. To lend out thair moneyis vpone sufficient securitie of repayment, with the anuellis. 4. To tak ordour with the run-away soldiouris.

Proclamatioun maid in Abirdein for to pay the tenthis. 2. To deliuer thair siluer wark. 3. To len out money. 4. Anent the run awayis.

This proclamatioun, doubtless, wes maid at the crossis of the

[illegible] burrowis of Scotland, wherevnto wes givin obediens, except the silver wark wes not cravit in this toune, and thay had no monevis left thame to ken out vpone suirtie.

[illegible]

Tuysday, 15th August, Doctor Williame Guild, and one callit Mr. Robert Baillie, wes put on leit, who suld be chosin principall in the Kingis Colledge of Old Abirdein, now vacand by depositioun of Doctor Williame Leslie, principall thairof, as ye hard befoir, folio 164. This hes seimit strange and aganes the foundation, quhair ony persone micht lernit within the colledge sould be preferrit befoir persones educat and brocht vp thairin, and of no less giftis and lerning nor these strangeris, quhairof sum then within the colledge wes regentis, as wes reportit. Alwayes, thay go on: Doctor James Sandylandis, commissare of Abirdein, wes chancelare of the said vniversitie in absens of the bischop of Abirdene, and wes present in the college hall; the regentis, gramariar, and remanent foundit memberis, wes thair. Mr. Thomas Sandilandis, young commissare, in name of the Erll of Lauthean, Mr. Williame Dauidsone, schiref deput of Abirdein, in name of the Erll of Angouss, Mr. James Baird, aduocat, in name of the Erll of Mar, and Mr. Patrik Chalmer, schiref clerk, in name of the Erll of Morray, wes thair; quhilkis four nobill men, being the four narrest countreis about this colledge, had, be virtue of the foundatioun, voice and place of electioun of ane principall, *sede vacante*, be deceass or deprivatioun. Well, thay convene altogidder, Patrik Rankyne, seruitour to the said Mr. James Baird, is this court clerk. Thay go forduard, quhair this Doctor Goold is electit and chosin principall of this vniversitie, *ad vitam aut culpam*, and the vther rejectit.[a] Bot what warrand

[illegible]

[illegible]

[illegible]

[illegible]

[a] At the Kingis Colledge of Old Abirdein, the auchteint day off August, 1640 zeiris: The quhilk day Doctor Wm. Guild, rector of the vniversitie of the said colledge, and minister of the brughe of Abirdein, Mr. James Sandilandis, civilist, Mr. Robert Ogilvie, subprincipall, Mr. Johne Lundy, humanist, Mr. Alex. Middiltoune and Mr. Alex. Gardyne, now regentis of the said colledge and memberis theroff, being all personallie present, conveined within the said colledge, and considdering that the principall of the said universitie hes waiked the space of auchteine monethis last bygaine, be the deprivatioune of Dr. Wm. Leslie, last principall, and no man presentit therto, and that it is now only incumbent to them to provyd ane sufficient learned and qualified man for exerceising of that place: Therfoir, conforme to the fundatioune of the said vniversitie, publictlie red lawis and practique of this realme, and to ane edict lanfullie published, warneing all pairties and persones havand entres, to compeir this day and

these who compeirit for the four noble men, procuratorie or vther-uaies, thay had to mak this electioun I know not; bot order appeir-andlie wes givin fra the Tables to this effect. Now Doctor Goold, who first subscrivit the covenant with limitatioun, as ye may sie, folio , now subscrives the covenant without limitatioun, prayis for the good success of the army, who wreit aganes raising of armes. Sie befoir, folio . Heirefter, Doctor Leslie randerit the haill keyis of the colledge, librarie, and all quhilk he had, to Doctor Goold, quhairwith he schortlie possessit him self. Doctor Leslie wes tollerat to keip ane chalmer within the college to him self, quhairin to ly and to studdie; bot bocht his meit throw the Oldtoun quhair he pleasit, with gryt modestie, resolving with patiens to abyd Godis good will without mvrmuratioun or appeirans of miscontent, quhair or in what soeuer societie he hapnit to be.

So it wold appeir that this election is maid be thir four persones, as procuratoris for thir four noblemen, and whiche procuratoris war maisteris laureat within the said college, who onlie suld be send be the nobles as there procuratoris, bot no vther maid maister of any vther college.
This electioun cam fra the Tables, as wes thocht.
Doctor Leslie randeris the keyis, except ane chalmer, quhilk be tolerance he keipit.

Mr. Patrik Gordoun wes brocht out of the laird of Haddochis place, being seruand to him, and chosin regent in the deposit Mr. Alex^{r} Scrogie younger his place; and so this meiting dissoluit. Sie more of Doctor Goold heirefter, folio 258.

Mr. Patrik Gordoun maid regent.
And so this meiting dissoluit.

place, to give thair woices and consentis, and also to heir and sie the foirsaid place sufficientlie provydit, and ane sufficient learned qualified man chosin, electit, and installit principall of the said universitie. The fornameit rector and memberis, for the moir formall procedour in the said electioune, (eftir incalling wpone the name of God to bliss ther meitting and bussiness in hand, and to direct aright) did nominat, elect, and choos, for procuratouris for the natiounes efter specifeit, to wit: Mr. James Sandilandis, commissar of Aberdeine, procuratour for the natioune of Louthian; Mr. Wm. Dauidsone of Carny, procuratour for the natioune of Angus; Mr. James Baird, advocat befoir the lordis of sessioune, for the natioune of Mar; and Mr. Patrik Chalmer, shireff clerk of Abirdein, for the natioune of Murray, for woiceing and consenting to the said electioune; quha being all personallie present, acceptit the said office in and wpone them, and gave their aithes *de fideli administratione*; and thairwpone the said rector and memberis askit instrumentis. Thairefter the fornameit memberis of the said wniversitie, and four procuratouris for the natiounes aboue specifeit, all in ane woice, did elect, nominat, and chooss Doctor Wm. Guild to be principall of the said universitie and colledge of Abirdein, during all the dayis of his lyftyme, as the most sufficient, learned, and qualified man, for exerceising of that place, with full powar to him to injoy and possess the said place, with all liberties, priviledgis, rentis, casualities, and wyeris quhatsumewer, belonging therto, during the space forsaid, als frilie, in all respectis, as any principall of the said wniversitie ewer enjoyed at any tyme heirtofoir, or can by richt enjoy. Lykas, the said memberis of the said universitie, and procuratouris for the nationes aboue mentionat, ordained thir presentis to be insert and registrat in the register, with the recordis of the said wniversitie, therin to remain *ad futuram rei memoriam*; and in takin theroff, they haue subscriuit the same with ther handis, day, zeir, and place foirsaid. (Minute Book of King's College.)

Monro gives ordour to Murray, Ross, Sutherland, Caithness, and Strathnaver, for raising the 4 man for Dunss.

Tuysday, 18th August, maior Monro with sum few company rydis fra Banf touardis Morray, (leaving his regiment behind him) for giveing order to thame, Ross, Sutherland, Caithnes, and Strathnaver, to raiss the fourt man with 40 dayis loan, to go for Dunss to Generall Leslie, as ye sall schortlie heir.

Many barronis and gentilmen met him.

Many barronis and gentilmen met him, and honorit him be the way.

He returnis, brakis and defaces Inshdrour, and spoizeis all.

He haistellie returnit bak agane to the camp, and be the way brak wp the iron yet of Inshdrour, (ane place quhair Banf vsit him self most commounlie to keip and duell intill) and forsiblie took it af, syne sold it for fyve merkis to ane country man, quhilk ane hundreth poundis had not maid wp. Thay brak wp durris, wyndois, enterit the haill houssis, defaceit, dang doun, and abusit beddis, burdes, and haill insicht and plenishing, and left nothing within quhilk thay micht carie with thame; pitifull to behold the pollicie of the ground and kingdome so abusit, but auchtoritie or law from our soueraigne Lord the Kingis Majestie.

Lesly encampis at Chesla wood. His army. His cannon. His provisioun.

Generall Leslie is now at Dunss with about 20,000 brave soldiouris, horss and fut. He incampit at Cheslay wod, hard besyd Dunss. Thay had good provisioun of all thinges necessar, and had ten cannonis of battrie, fourscoir feild peices, as report past.

Edinbrugh, the touns furneshing.

Edinbrughe zealouslie furneshit thame 9000 elnis of canvessing and hardin to be tentis and pavilionis.

Thay deliuer there siluer wark.

Thay deliuerit be thair gryte oath, the siluer wark within all the toun of Edinbrugh, but respect of persones, vpone securitie of repayment in cungzeit money according to the wecht; quhilk siluer wark wes haistellie cvngzeit in good money to pay the soldiouris.

Brave capitans and commanders.

Thair wes in this army brave capitanes and commanderis, of purpoiss send for be the covenanteris to Germany, France, Flanderis, and Holland, and store of armes, pulder and ball, daylie furneshit and brocht from Holland; and thus lyis he still at Chesla wod, in good order, drawin on be the English houss of commouns and vtheris, projectouris of our trubles and commoun calameteis within that and our owne countrie, still privilie vrging this generall to cum forduard, as the report went, with all diligens. Sie folio 257.

Store of arms, pulder, and ball.

The caussis of this army.

The king raissis ane army.

The King informit of thir proceidingis, raissis wp also ane army about sixtene thousand foot and four thousand horss, mynding be him self in persone to cum to the feildis; and be oppin proclama-

tioun at the haill paroche churches of England, and marcat crossis, declairit this our army to be traittouris; commanding also, and strictlie chargeing all Englishmen, his good subiectis, onnawyss to recept, supplie, or support these Scottis, in meit, drink, or vther necessareis, wnder the pane of heighe tressoun; intending also to be at Newcastell, quhair the Kingis magozan lay, befoir Generall Lesly suld cum thair. Bot all for nocht, the King is disappointit. Well, this army, consisting of about 20,000 brave capitanes, cavilleiris, and soldiouris, by and attour 10,000 bagage men, is now at the lifting; bot befoir the camp wes raisit, thay set furth ane paper, quhairof the tennour followis:—

Proclamationis declaring our Scottis army traittouris, strictlie chargeing all English men not to help nor assist the Scottis.

Sie folio 241.

The Intentiouns of the army of the kingdome of Scotland, declairit to there bretheren of England, by the commissioners of the lait parliament, and by the Generall, nobilmen, barrons, and vther officiaris of the army.

The best endevouris, and grytest workis quhairin the hand and providence of God haue bene most evident and sensibill, and the hairtis and intentiouns of men callit to be the instrumentis most pious and sinceir, though thay found approbatioun with the wyser sort, suche as ar givin to observatioun, yit thay haue euer bene subiect to be misconstrued by blynd suspitioun, to be reproved by cavilling censure, whiche maketh place for it self to enter quhair it findeth none, and to be condempned of the ignorant, and of suche as ar at eass, bot most of all the malicious, who can not be pleasit even when God is best pleissit, and quhen men seik to approve thame selffis to euerie ones conscience; but in thair hairtis wish rather that the temple sould not be built, religioun neuer reformed, and thay thame selffis covche betuixt the tuo burdenis, then that thay sould be in there worldlie proiects or possessionis opposit or trublit. The deliuerans of the people of God of old from the Egiptian servitude, the redemptioun of the kirk by the Sone of God, and the planting of Christean religioun by his seruandis, and the vindicatioun of religioun from the Romishe superstitioun and tyrrany, whiche ar the greatest and most wonderfull warkis of God, haue bene most bitterlie calumniated, and spytefullie spvrned aganes by the wickit.

The intentiouns of the army off Scotland.

The natur and qualetie of this gryt work, wherein the Lord has honored ws to be agentis, and the experience that we haue found in continuall oppositioun since the begining, may teache ws, if we be not as the horss or mule whiche haue no wnderstanding, that we ar to expect the gane saying of synneris; and that nothing can be hatched in hell by Sathan, or prompted by his servandis on earth, whiche will not be produceit, to mak ws and the causs of God, whiche we mantayne, odiouss to all men, bot most of all to oure neightbouris and deirest bretheren. When we sall enter into England, it wilbe laid to our charge that we mynd nothing bot invasioun, and that no less hath bene intendit by ws from the begining, then wnder the pretext of seiking

our religioun and liberties, to enritche our selffis [with] there possessionis and goodis. Bot our peceabill careage mony yeiris past, before the tyme of these lait troubles, oure Informatiouns, Declarationis, and Remonstrances published to the worlde, wherein we haue cursed all nationall invasioun, and our willingnes quhen we war in armes,

The Scottis intentiouns

to lay thame doun vpone the smallest assureans of enjoying our religion and liberteis, wilbe conceaved by the wise and well affected to be more plane and sure evidences off our meining, then all that malice can devyse or calumnie can expres aganist ws. Nather haue ony new emergentis alterit, bot rather confermed our former resolutionis; for altho both befoir and since the lait pacificatioun, we haue bene heighlie iniurit by sum papists, and prelatis, and there adherentis, who haue bein and ar still seiking no les nor that we sould be no more a kirk or a natioun, and therefore thame selffis can not think, bot we must accompt of thame as Godis enemeis and ouris; yit above all, the fauoris we haue receaved from the good people

Nota.

and bodie of the kingdome of England, one there is whiche hath heighlie honored thame befoir the worlde, and endeired thame vnto ws more then before, whiche sall never be forgottin by ws, and we hope salbe thankfullie remembrit by our children,

Nota

and children's children efter ws, to all generatiouns; that when vpone misinformatioun, the Counsall of England had concludit to vse forss aganist ws, when the parliament of Ireland had offerit there persones and estaitis for supply aganist ws, when all plotis and polliceis were set on wark, and publict declarationis by authoretie were maid, and the parliament called for this veray end, when we had bene traduceit and proclameit as traittouris and rebellis at euery paroche churche, yit so wise, so grave, so just wes that heighe court of parliament (to there euerlasting honor be it remembred) that no threatningis, nor fearis, nor promessis, nor hopes, could move them to

The Scottis intentions.

decerne a warr, or grant ony subsidie for a warr aganist ws, bot rather by there

Nota.

speiches, complaintis, and grievances paralell to ours, did justefie the cause whiche we defend. This ritche and recent favour doeth so bynd our hairtis, that were oure power neuer so great, we sould judge our selffis the vnworthiest of all men, and could luke for no less then vengeans from the righteous God, if we sould move hand or foot aganist that natioun, so comfortably to ws represented in that honorabill meiting. In this our thankfull acknouledgement, we desire that the citie of London haue there owne large share, as they well deserve, by the noble prooffis thay haue givin of there constant affectioun to religioun, and

The fyre of Dunglass, folio .

the peace of bothe kingdomes, notwithstanding the continuall assaultis of the mis-leidaris of King and court leiving amongst thame, and aluaies sounding the trvmpet of seditioun in there eiris. And if this which doeth so convince ws, sall not be thocht sufficient to satisfie all the good people of England, wee now, before God and the world, mak offer in generall, and will mak offer to so many of them as will requyre it in particular, of the strongest and most inviolabill band of our solempne oath and religious attestatioun of the grite name of God, who is oure fear and oure dread, and from whome we hope for a blessing vpone oure expeditioun,

The Scottis intentiouns

that we intend no enmitie or rapein, and sall tak no manis goodis, nor ingage our selffis in blood by fighting, vnles we be forced vnto it, whiche we may luke for from

papistis, prelatis, and otheris of that affectioun; bot that any suche thing sall cum from godlie men or good patriotis, who loveth the treuthe of religioun, or the Kingis honor and there owne libertie, both the reull of charetie, whiche intertaneth no suspi- Nota.
tioun, quhair thair is no evill deserving, and the reull of wisdome, whiche teacheth that both nationis must now stand or fall togidder, do forbid ws to apprehend.

All the designe of both kingdomes is, for the treuth of religioun, and for the just Nota.
libertie of the subiect; and all the devyses and doing of the enemy ar for oppressing of bothe, that oure religioun may be turned into superstitioun and atheisme, and our Nota.
libertie to bass seruitude and bondage. To bring this to pas, thay haue certanlie conceavit, that the bloking wp of this kingdome by sea and land wold prove a pouerfull and infallibill mein: for either within a veray schort tyme sall we, through want of trade, and spoylling of our goodis, be brocht to suche extreme pouertie and confusioun, that we sall miserablie desyre the conditionis whiche we now dispyss and declyne, and be forsit to imbrace thair will for a law, both in kirk and pollicie, whiche wilbe a precedent for the lyk miserie in England, taught be our example to be more wise. Or vpone the other pairt, we sall by this invasioun be constrayned The Scottis intentiouns.
furiouslie, and without order, to brak into England, whiche we beleive is there more ernest desire, becaus a more spedie executioun of there designe. For we doubt not bot vpone our cuming, clamour wilbe raisit, postis sent, and proclamationis maid throw the kingdome, to slander our just and pious intentionis, as if this had bene our meining fra the begining to stir wp all the English aganist ws, that, ons being enterit in blood, thay may with there owne suordis extirpat there owne religioun, lay a present foundatioun with there owne handis for boolding of Rome in the midst of thame, and to be the authoris both of there owne and oure slaverie, to contynew for euer.

But in this admirabill opportunitie of vindicatioun of true religioun and just liberteis, if divyne prouidens be lookit vpone with a reuerend eie, and men feiring God, and loveing the Kingis honour, and peace of both kingdomes, sall walk worthie of there professioun, althogh the enemeis haue obtenit so muche of there desires, as by cordis of there owne twisting to draw ws into England, yit may there mayne de- Nota.
signe be disapointed, the rope whiche thay haue maid brocht vpone there owne nekis, and there wisdome turned into foolishnes, whiche we haue ressone to hope for from that suppreame wisdome and pouer, whiche hath in all the proceidingis of this wark, turned there devises vpone there owne pates that plotted thame.

In oure Informatiouns, Remonstrances, and the true representatioun of oure proceidinges since the lait pacificatioun, we haue so far expressit the wrongis whiche we haue sustaned, and the distressis whiche we suffer, as may mak manifest oure pres- The Scottis intentionis.
sing necessitie to tak wp sum vther courss for our present releiff, then suche petitions, supplicatiouns, and commissions, as we haue vsed before, with less success then could haue bene expected of a kingdome from there owne natiue King. Before we stirred so muche as with a petitioun, we endured for many yeires, not only the perpetuall oppositioun of the truthe and pouer of religioun by prelatis and papistis, bot also the violatioun of all our liberteis, and almost the totall subuersioun of our re-

ligioun, whiche wes oure comfort in the sight of God, and the glory of this natioun in the sight of other kirkis, who, by the testimony of there divyns, maid our reformatioun the mesour of there wisses, and wold haue redemit it with there grytest worldlie loissis. When grossis poperie wes notoriousalie obtruded vpone ws, in the buke of cannons and common prayer, without consent or knouledge of the kirk, and the plot of the prelatis and papistis whollie discovered, how to satle it in both natioons, we added to our former sufferingis no other armes bot praieris and tearis vnto God, and petitioons to our King, whiche were vtterlie rejected; the bookis and corruptionis (aganist whiche we petitioned) heighlie exalted; and by the insolent advyss of those who governe now his counsallis, and labour to establish there owne evill acquired greatness, vpone our oppressioun, and the rwines of our religioun and liberteis, we war forbiddin to insist, wnder the pane of heigh tressoun. When we found our selffis thus opposed and borne doun, still insisting in our humill desires, we solempnlie renewit our nationall oath and covenant, for preserving oure religioun and liberteis, and of his Majesteis auchtoretie, knowing the violatioun of that oath to be the guiltines whiche had procured our woes, and that our repentans and turning to God were the meanis (by his blissing) for good success. When, contrarie to our deserving and expectatioun, his Majestie wes moved by wicked counsall to marche touardis ws with ane army, we were veray sone pleissit, and chused rather to neglect suche courses, as micht serve for our humane saiftie, then to fall in seiming disobediens to our King, or to give the smallest detest to our deir bretheren in England; and therefore disbanded our forces, deliuered all holdis quhilk were craved in testimony of oure obediens, and so far complyed with his Majesteis plesour, that, notwithstanding the determinatioun of our lauchfull former assembly, called by his Majestie, we were contented that a new frie assemblie and parliament sould be appointed, where all thingis, both concerning our religioun and liberteis, micht agane be considdered and establishit. When materis ecclesiasticall were determinat in the assembly, according to the constitutionis of the kirk, in the presens and with the consent of his Majesteis commissioner, and the parliament wes convenit for perfecting the wark, althogh we walkit therein so warylie, that no just prouocation wes givin to his Majestie; yit contrary to the lawis and custome of this kingdome, the parliament so certanlie promesit when his Majestie wes frie of these bad counsallouris, was by there advyss prorogued; whiche, to show our invincibill obediens, we were content to suffer, and did send wp our commissioners to London, to rander the reasons of our demandis. When our commissioneris and petitionis (of the parliament called by his Majestie) were so far rejected, that thay were neuer sene nor hard, we send wp oure commissioneris agane with our propositionis, whiche contaned nothing bot what wes necessary for the good and peace of the kingdome, and wes grantit vnto ws before, wnder his Majesteis hand, yit could thay fynd no ansuer at all, whiche wilbe wonderit at, and hardlie beleivit by so many as ar strangeris at court, and know not that the bischop of Canterbury and the liuetennand of Ireland, with the assistans of the too too pouerfull factioun of the papistis, labour to schow there zeall for his Majesteis greatnes, by the oppressing the just liberteis of the subiectis, and

The Scottis intentioons.

The Scottis intentioons.

Nota.

the reformed religioun, in all the thrie kingdomes. But in place of the gratious ansuer whiche we expected, oure commissioneris were restraned, and one of the noble men imprissoned; garisouns of strangeris set over our heidis in ane insolent and barbarous way, exerceising thair crueltie evin aganes wemen and children; our schippis and goodis takin and sunk, and the owneris stripped naikit, and more inhumanlie vsit at the commandiment of abused aucthoritie by the subiectis of our owne King then by Turkis and infidellis; and gryte armes prepared aganist ws, with a terribill commissioun to subdew and distroy our selffis, our religioun, liberteis, lawis, and all.

In this extremetie, for ws to send new commissioneris or petitionis were aganist senss and experience; these that governe the Kingis counsallis being far fra any inclinatioun or intentioun to satisfie the iust desires and greivances of the subiectis, as thay haue maid manifest by braking wp of parliamentis in both kingdoms. To sit still in sens-les-nes and stupiditie, waiting for our owne distructioun at the discretioun of our mercyles enemeis (whiche were it not at this tyme joyned with the causs of God, wold move ws the less) is not onlie aganist religion but nature, teaching and commanding ws to studdie our owne preservatioun. To indure continuall threatningis, and so gryte hostilitie and invasioun fra yeir to yeir, (whiche is the professit pollicie of our enemeis) is impossibill, and (when we haue examined our strenth) more nor we ar abill to beir. Wee haue therefore, efter muche agitatioun and debaiting with and amongs ourselfis, resolued to haue oure proceidingis, (whiche haue bene canvassed by so many, and brocht to sum poynt of determinatioun in our owne parliament) to be better knowne to the Kingis Majestie and the world, and especiallie to the kingdome of England, that (aganist all falss and artificiall relationis) thay being naikedly sene to be what thay ar, we may obtane a better groundit and more dureable peace, for enjoying of our religioun and lawis; and as we desire the vnworthie authoris of our troubles (who haue cum out from our selffis) to be tryed at home, and justice to be done vpone thame according to our owne laws; so still we press no farder proces aganist these pernicious counsallouris in England (the authoris of all the misereis of both kingdomes) then what there owne parliament sall decerne to be there iust deserving.

The Scottis intentiouns.

Nota.

The Scottis intentionis.

When we look bak vpone this wark of reformatioun from the begining, and perceave the impressionis of the wark of God in it, we ar forsit, in the middis of all our dificulteis and distressis, to bliss God for his fatherlie care and frie love to this kirk and kingdome, and to tak courage and spirit to proceid in patiens and perseverans, whidder he sall go befoir ws and leid ws on. When the prelattis wer growing by there rentis and lordlie digneteis, by there pouer over all sortis of his Majesteis subiectis, ministeris and otheris, by there places in parliament, counsall, college of justice, exchequer, and heighe commissioun, to ane absolut dominioun and greatnes; and setting thair one foot on the kirk and the other on the state, war becum intollerablie insolent, evin then did the wark begin, and this wes the Lordis oppertunitie. The beginingis war small and promesit no gryte thing, bot haue bene so seconded and continuallie followed by divyne provydenss, pressing ws from step to step, that

The Scottis intentiouns. the necessitie wes invincibill and could not be resistit. It cannot be expreet what motionis filled the hairtis, what tearis were poured furth from the eyes, and what cryis cam fra the mouthis of mony thousandis in this land at that tyme, from the sens of the love and pouer of God, raising them as from the dead, and giveing them hopes (efter so gryte a deluge and vastatioun) to sie a new world, quhairin religion and righteousnes sould duell. When we were many times at a pavss, and knew not well what to do, the feiris, the fureis, pevischnes, and the plottis also of our dementat aduersareis, opned the wayis vnto ws, and taught ws how to proceid; and what thay devysit to rwine ws, servit most aganes thame selffis, and for raising and promoveing of the wark. Altho that nather counsall nor sessioun, nor any vther judicatorie, hath bein all this tyme sitting, and there haue bene meitingis of many thousandis at suche tymes, yit thay haue bene keipit without tumult or trouble, and without excess or ryot, in better ordour and gryter quietness, then in the most peciable tymes hath bene found in this land. When we war content at the pacificatioun to lay doun armes, and with gryte loissis to leive at home in peace, oure wicked enemeis haue bene like the trubled sea when it can not rest, whose wateris cast wp myre and dirt, and will haue ws to do that whiche it seimeth the Lord hath decreed aganes thame. The puritie of our intentionis, far from bass and erthlie respectis, the bent inclinatioun of our hairtis in the midst of many dangeris, the fitting of instrumentis (not onlie with a desire and dispositioun, bot with spirit and habiliteis), to overcum oppositioun, and the constant peace of hairt accompanying ws in our wayes, whiche beireth ws out aganis all accusationis and aspersiouns, ar to ws strong groundis of assureans that God hath accepted our wark, and will not leave ws. We know that the Lord may vse evin wicked men in his seruice, and may fill thair saillis with ane fair goall of habiliteis, and carie thame on with a strong hand, whiche sould mak ws to searche oure hairtis the more narrowlie. But as this ocht not to discourage his owne faithfull servandis, who out of love to his name, intend his honour, walk in his wayes, fynd his peace comforting thame, his providens directing thame, and his presens blissing thame in there effaires; so it cannot be any just ground of querrelling aganist the work of God.

Nota.
The trot of Turref.
The Brig of Die, &c.
Nota.
Armes raisit but command of the King, then lejving in peace.
The Scottish intentiouns.
Nota.
Luik to the fyre of Dunglass, folio .

Yit all these oure encouragementis, whiche haue vpholden our hairtis in the middis of many troubles, could not mak our entrie into England warrantable, if our peace, whiche we ernestlie seik and follow after, could be found at home or elss quhair. Where it is to be found we must seik efter it; and no sooner sall we fynd it, bot, by laying doun oure armes, and by evidences of our peceabill dispositioun, we sall mak it manifest to the worlde, and especiallie to the kingdome of England, that we ar seiking nothing elss, and that our taking wp of armes wes not for invasioun, bot for defenss. No man neideth to plead by positive law for necessity. It is writtin in everie manis hairt by nature, and in all nations men haue receaved it, we fynd by practeiss that necessity is a soveraignitie, a law aboue all lawis, is subiect to no law, and thairfoir is said to haue no law; where necessity commandeth, the lawis of nature and nationis give there consent, and all positiue lawis ar silent and give place. This law hath place sumtymes to excuse, sumtymes to extenuat, and sum-

Nota.
Who first brak the peace?
To seik peace with armes at the handis of ane heredaterie King.
But what if peace war refuisit, quhat then suld be lookit for?
The Scottis intentiouns.
Nota.
Necessitie—a law aboue the King.

tymes to justifie and warrand actionis, vtheruayes questionabill: and no griter necessitie can be nor the preseruatioun of religioun, whiche is the soull; of the countrie, whiche is the bodie; of our lives, who ar the memberis; and of the honour of the King, who is the heid. All these at this tyme ar in commoun haserd, and to preserue and secure all, we know no other way wnder the sone (and if any man be so wyss as to know it, we desire to heir it, and salbe reddie to follow it) but to tak ordour with our commoun enemeis where they may be found, and to seik our assureans where it may be givin. The questioun is not whidder we sall content our selffis with our owne povertie, or enritche our selffis in England; that questioun is impious and absurd. Nather is the questioun whidder we sall defend our selffis at home, or invaid our nichtbouris and deirest bretheren in England; this also were vnchristean and vnressonable. But this is the questioun, whidder it be wisdome and pietie to keip our selffis within the borderis till oure throttis be cut, and our religioun, lawis, and countrie to be distroyit; or sall we bestur our selfis, and seik our saif garde, peace, and libertie in England, whiche we sall do or die; whither we sall go and leive, or abyd and perish, and more largelie to expres all, whidder we, who ar not a few priuat persones, bot a whole kingdome, sall ly wnder the burthen of so many accusationis, as scarcelie in the worst tymis haue bene intendit aganes Christeans, receave the seruice book, and the whole bodie of poperie, imbrace the prelatis and there abjured hierarchie, renunce our solempne oath and covenant, so many tymes suorne be ws, loiss all our labour in this caus, and forget all former slaverie and wonted desires of redemptioun at the deirest rate, tikkill the myndis of our enemeis with joy, and strenthen there handis with violence, and fill the hairtis of oure freindis with sorrow, and there faces with schame, becaus of ws, desert and dishonour the Sone of God, whose causs we haue wnder takin, whose baner we haue displayit, and whose truthe and powar hath bene this tyme past more comfortable to ws then all that the peace and prosperitie of the world culd haue renderit, and draw vpone our selfis all the judgementis whiche God hath executed vpone apostatis since the begining; or sall we fold our handis and wait for the perfect slaverie of our selffis and our posteritie, in our soullis, bodeis, and estaitis, and (whiche is all one) foolishlie to stand to our defenss where we know it is impossibill; or sall we seik our releif in following the calling off God, (for our necessitie can be interpreit to be no less) and entering by the durr whiche his providens hath opned vnto ws when all wayis ar stopped besydis.

Who bred the brak of our peceable religioun, establist by lawis?

The Scottis intentiouns

Nota.

We wes the peace-brakers? Being at rest in Scotland, we will seik our will to be peceablie set now in England be armes.

Nota.

The whole kingdome, viz., sic as for feir, or threatning, or persuasioun, subscrivit oure covenant, wherein wes many malcontentis. The King dischargit the seruice book, book of cannons, hie commissioun, sic folio; bot this culd not do it.

Nota.

A pitifull regrait by the misdoeris thame selfis.

Oure enemeis at first did schrowd thame selfis so far with the Kingis auchtoretie, that thay behoved to stand and fall togidder, and that to censure thame wes tressoun aganist the King. But wee haue schowne that the Kingis croun is not tyed to a prelatis myter, and that the one may be cast to the ground and the vther haue ane gryter luster and glorie then befoir. Now thay tak thame selffis to ane vther starting hoill, and wold haue men think, that to cum into England and to persew thame, althogh legallie, it is to invaid the kingdome quhair thay leive; as if the cutting away of ane excressens, or the cureing of ane impostum, war the killing of the body. Let thame secure thame selffis wnder the schelter of there owne fantaseis; but we ar

The Scottis intentionis

Luke to the Kingis croun now in Scotland, Ingland, and Ireland; pitifull to sie, folio

Nota.

Thay will not invaid Engiand, bot the papistis and prelatis, and vtheris there enemeis.

not so vn-decerning, as lyk mad men, to run furiouslie vpone suche as thay first meit with, and cum in there way. For althogh it can not be denyit bot the wrong is done to ws; as the braking of the lait peace, crying ws doun as rebellis and traittouris, the taking of our schippis and goodis, the imprissoning of our commissioneris, the actis of hostilitie done by the English in our castles, had thay bene done by the state or kingdome of England, thay might haue just caussis of nationall querrelling; yit since the kingdome of England, convenit in parliament, haue refusit to contribute any supplie aganist ws, haue schowne thame selfis to be pressed with greivances lyk vnto oures, haue ernestlie pleaded for our distressis and remedie, and a declaratioun maid, that his Majestie out of parliament will redress thame, whiche might be a cure for the greivances of particular subiectis, but nationall greivances requyre the hand of the parliament for there cure; for preventing quhairof, the parliament wes brokin wp and dissolued. Nether do we querrell with the kingdome for the iniureis whiche we sustane, nor can thay querrell with ws for taking ordour with that prevalent factioun of papistis and prelatis, the authoris of so many wois to both nationis. Let all who love religioun and there liberty joyne aganist the commoun enemeis, and let thame be accursed who sall not seik the preseruatioun of there nightbour natioun, both in religioun and lawis, as there owne, as knowing the ruine of one will prove the rwin of bothe.

The Scottis intentiouns.

Nota.

Thay war sure of the lower house fra the begining, as the progress heirefter weill proves.

Sie the ressons why London also wes thairis.

Sie now the plot betuixt thame and Ingland.

Nota.

There taking ordour with papistis and prelatis of England.

The English bakis ar clawit

Sie cleirlie the combynit plot.

And as we attest the God of hevin and erthe, that those and no other ar our intentiouns; so vpone the samen grytest attestatioun doe we declare, that for atcheiving those endis, we sall nather spare our panes, fortouns, nor lyves, whiche we know can not be more profitablie nor honorablie spent. That we sall not tak from our freindis and bretheren (from a threid to a schoe latchet) bot for our owne moneyis, and the just payment, that we cum amongis thame as there freindis and bretheren, veray sensibill of there bipast sufferingis and present dangeris, both in religioun and liberteis, and most willing to do thame all the good we can. Lyke as we certanlie expect, that thay, from the lyk sens of our hard conditioun and intolerabill distressis, whiche hath forced ws to cum fra oure countrie, will joyne and concur with ws in the most just and nobill wayes for obteining our just desires. And when oure owne meinis and moyan ar spent, we sall crave nothing bot vpone sufficient securitie of repayment, how sone possiblie it can be maid, what is necessarie for the intertynnement of our army, whiche we ar assured so many as love religioun, and the peace of bothe kingdomes, will willinglie offer as that whiche thay know we can not want, and in thair wise foirsicht will provyde the way to furneishe necessares, and to receave the suirtie. This courss being keipit be both sides, will nather harme our bretheren (for thay salbe satisfeit to the least farthing) nor our selfis, who luke for a recompens from the ritche providence of God, for whose saik we haue hasertit the loiss of all thingis. The escaipis of sum soldiouris (if any sall happin) we trust sall not be imputed vnto ws, who sall labour by all meinis to prevent them more cairfullie, and to pvnish thame more seveirlie then if done to our selffis, and in our owne countrie. Oure professed enemeis the papistis and prelatis, with there adherentis, and the recepteris of there goodis and geir, we conceave wilbe more provident then to

The Scottis intentiouns.

There resolution plesant to the English puritanis.

The bischoprik of Durham, and the Kings mageran at Newcastell not touchit. Sie folio 253.

Mark, the brotherlie assistans folio . wes not givin for nocht.

A brave conceptioun.

refuse ws necessarie sustentatioun, when thay remember what counsall wes givin by thame, for declairing all our possessionis to be foirfaltit, and to be disposed of to thame, as well deserving subiectis. We sall demand nothing of the Kingis Majestie, bot the satling and secureing of the true religioun and liberteis of this kingdome according to the constitutiouns and actis of the lait assemblie and parliament, and what a just prince oweth by the lawis of God and the countrie, to his greived subiectis, cuming befoir him with there humill desires and supplicationis. Our abode in England salbe for no longer tyme, then, in there parliament, our just greivances and complaintis salbe hard and redressit, sufficient assureans givin for the legall tryell and pvnishment of the authoris of our evillis, and for enjoying of our religioun and liberteis in peace aganes the invasioun of there countrie men. Oure returning thairefter salbe with expeditioun, in a peciabill and orderlie way, far from all molestatioun; and we trust the effect salbe aganist papistis, the extirpatioun of poperie, aganist prelatis, the reformatioun of the kirk, aganist atheistis, the floorishing of the gospell, and aganist traittouris and fire brandis, a perfect and dureabill vnioun and love between the tuo kingdomes; which he grant who knoweth our intentiouns and desires, and is abill to bring thame to pass. And if any more be required, God will reveill it, and go befoir both nationis; and if he go before ws, who will not follow, or refuse to put there neckis to the wark of the Lord? Finis.

The Scottis intentiouns. Nothing cravit, bot gif thame there will according to there owne actis.

This parliament with thame gois ane way. sie folio

No word of Ireland, who brak louss in the mid tyme, folio

This paper wes put forth, imprintit, dispersit, and spred throw both England and Scotland befoir lifting of our army fra Chesla Wod, that the equitie of our good causs might be cleirlie sein, where it is to be observit that the puritanes of England and we both had schakkin handis befoir the begining of this wark; quhilk bred treulie gryt trubles and alterationis both in England and Scotland, and horribill blood and mvrther in Ireland, as heirefter do planelie appeir; for by our trampling out of poperie in both kingdomes, and beiring doun of prelatis and papistis, whome we called our enemeis, Ireland gois to armes, settis furth a remonstrans, avowing the Catholik Romane religioun in dispyte of ws and our proceidinges, and therewith fell to, aganis our English and Scottis inhabitantis, contrair to there professioun, brynt there biggins, cornes, and all that thay had, mvrtherit and slew man, wyf, and children but remorss, baneshit ministeris, Scottis and English, and with ane vpliftit hand vowit, protestit, and declairit thair oppin rebellioun and popish religioun, aganes our covenant and proceidingis; yea to the admiratioun of many, saying, as our covenant expellit prelatis and papistis, so thay wold expell both protestantis and puritanes, be way of supplicatiouns to his Majestie and raising

This paper printed befoir lifting of our army.

Puritans of England and Scotland schook handis, quhilk bred gryt trubles and alterationis, blood, and mvrther.

Ireland gois to armes.

Grite blood, murther, and oppressioun thair.

Thay ar enemeis to ours covenant.

of armes as we did. Pitifull to behold in Ireland, besydis the distractionis in England and malcontentis of Scotland, as heirefter may appeir.

Ane vther printed peice following.

Now thir intentiouns being printed and set furth, as said is, there follouit ane vther imprintit peice vpone the bak thairof, quhilk copeit *verbatim* is thus:—

Informatioun fra the Scottish natioun, to all the true English, concerning the present expeditioun.

Oure distressis in our religioun and liberteis being of lait more pressing than we are able to beire, oure supplicationis and commissionis, which war the remedeis vsit by ws for our releif, war, efter many delayis and repulses, ansuerit at last with the terroris of ane army cuming to our borderis. A peace wes concludit bot not observit; and when we did complane on the brak, and supplicat for the performans, oure commissioneris were hardlie entreated; new and gryte preparationis were maid for warr, and many actis of hostilitie done aganes ws both by sea and land. In this cace, to send new commissioneris and supplications were aganist experience, and hopeles; to mantane ane army on the borderis is aboue our strenth, and can not be ane saiftie to ws by sea; to retire homeward were to call on our enemeis to follow ws, and to mak our selffis and oure countrie a pray be land, as our schippis and goodis ar maid at sie. We ar therefore constraned at this tyme to cum into England, not to mak warr, bot seiking oure releif and preservatioun.

A brave way to seik releif.

It is oure part to loue England.

Deutie oblegeth ws to love England as our selffis. Your greivances ar ouris. The preservatioun or rwin of religioun and liberteis is commoun to both nations. We must now stand or fall togidder. Suffer not, therefore, malice and calumnie to prevaill so far as to persuade that we cum to mak warr. We call hevin and erthe to witness that we are far from such intentionis, and that we have no purpose to fight except we be forsit, and in our owne defenss (as we haue more fullie exprest in our lairge declaratioun). We cum to get assureans of the inioying of our religioun and liberteis in peace, aganes invasioun; and the authoris of our greivances and youris being tryit in parliament, and our wrongis redressit, the tuo kingdomes may leive in griter love and vnitie then euer befoir, whiche to our commoun rejoising we may confidentlie expect from the goodnes of God, if the wicked counsallis of papistis, prelatis, and other fyre brandis thair adherentis be not more harkned vnto, then our true and honest declarationis.

England neids not to feir, for thay ar on our counsall.

We will haif our religioun and liberteis. No word of Ireland.

And quhair it may be conceaved that ane army can not cum in to England bot thay will waist and spoyll, we declair that no soldiour salbe allowit to commit any outrage, or do the smallest wrong, bot salbe pvnishit with severitie, that we sall tak neither meit nor drink, nor ony thing elss, bot for our moneyis; and when our moneyis ar spent, for sufficient suirtie, whiche by publict ordour salbe givin to all suche as shall furneish ws thinges necessarie. We haue nather spared, nor will we spare our panes, fortouns, and lives, in this causs of our assureans and your deliuer-

Heir is the plot cleirly sene betuixt ws and England.

ans: And, therefore, can not luik that ony weill affected to truthe and peace, to be either opposit by force and vniust violens in our peciable passage, or to be discouraged by wilfull or vncharitable withholding of meinis for our sustentatioun on our way. We ar bretheren: Your worthie predecessouris, at the tym of reformatioun, vouchsaiffed ws there help and assistans. We haue for many yeiris leivit in love. We haue commoun desires of the pietie of religion and quietnes of both kingdomes. Our hopes ar to sie better dayis in this island; our enemeis also ar commoun. Let ws not vpone there suggestionis, or our owne apprehensionis, be freindis to them and enemeis to our selffis. We desire nothing bot what, in the like extremitie, (whiche we pray God your natioun neuer fynd) we wold most gladlie, vpone the lyk declaratioun, grant vnto yow, cuming with your supplicationis to the Kingis Majestie, were he leiving amongst ws; and what ye wold we suld do vnto yow, we trust ye wilbe movit to do evin so vnto ws, that the blissing of God may rest vpone both. Finis.

Nota.

Brave supplicationis with buffill coats and carabins, to ane monarchicall King.

This paper, and the Scottish intentiouns, both wanted daitis, yet wes divulgat befoir the raising of our army, as wold appeir, throw England and Scotland.

This paper and the vthir, wanting daitis.

Aluaies, vpone Tuysday the 18th of August or thairby, Generall Leslie raisit his army fra Cheslawod beside Dunss, sie befoir, folio 229, and passed oure Tueid that day, ane prettie river, sie more, folio 245.

Generall Lesly raisis his army, and passis Tweid.

Thuirsday, 20th August, ane committe holdin at Abirdein be collonell Alexander, maister of Forbes, the Lord Fraser, the lairdis of Monymvsk and Tollie, Forbes of Balnagask, and sum vtheris; quhair sindrie actis wes maid and publishit, quhilk coppeit is thus:—

Ane committee holdin at Abirdein, quhair sindrie actis ar maid.

It is appointit be the committe that all the heritouris within the schirefdome of Abirdene, of the maister of Forbes divisioun, send in thrie men weill armed and furnished with 40 dayis loan, according to the commoun ordour, and conforme to there stentis; all there randivouss to be at Abirdene befoir the 29th of August instant, and incace of failzie, euerie heritour to pay for ilk man that he sall happin not to deliuer well armed and furnished at the said day, as said is, the number of fyve rex dolleris to the said maister of Forbes, and that by and attour the presenting and furneshing of thrie men, as said is. Farder, it is apointit at the said committe that all and whatsumeuer heritouris within the schirefdome of Abirdein convene thame selffis within there seuerall presbitreis, vpone Wednisday 26th of this instant, for perfyting of there valuationis, and being perfytit, that the samen be send on Thuirsday nixt to the committe to be holdin in the said maister of Forbes hous at Abirdein; and that everie kirk sessioun chuse ane sufficient commissioner, to ansuer and obey suche order as thay sall receave fra the commissioneris of presbitreis. And,

Ilk heritour send in thrie armed men, with 40 dayis loan, to the Maister of Forbess.

There randevouss.

The failzie.

That the heretouris within the schire of Abirdein perfyt there valuations.

That ilk sessioun haue ane commissioner.

None to receave ane disbandit soldiour.

forder, who hapnit to receave ane disbandit soldiour, that he incontinent send him to the committe, wnder the pane of censuring as disaffected to the good cause.

Thir red out in Old Abirdein.

Thir, with sindrie vther actis, wes red out efter sermon in the paroche churche of Old Abirdein vpone Sonday, 23rd August, quhair Mr. Johne Lundie, maister of the gramer scooll, wes chosin be the parochineris thairof commissioner to attend the presbitrie of Abirdein; and Mr. Thomas Gordoun at Kethokis-milne chosin be thame commissioner to attend the committe.

Ane fast for the good cause.

Sonday 23rd August, ane fast keipit in Old Abirdein, according to the directioun of the last generall assemblie, sie folio 221, for the good success of our army, peace and quietnes of the countrie; quhilk wes also keipit on Thursday thairefter, with abstinens fra all handy craft. Thir tuo fasting dayes wes also vniuersallie keipit throw all the paroche churches within Scotland.

Capitan Johne Forbes, *alias* Kaird, removit his soldiouris to New Abirdein.

About this tyme, capitane Johne Forbes, *alias* Kaird, removit his soldiouris out of Old Abirdein, sie folio , to New Abirdein, quhair thay war quarterit. Thay remanit in Old Abirdein fra the 25th of July to the 21st of August, without gryte burdein to the citinaris, except there bed roumes, as ye may sie, folio 219; sie also heirefter, folio .

Our schipis and goodis takin, bot gat littill skaith.

Oure marchand Scottis schippis and goodis daylie takin be the Kingis schippis, cuming or going, and had to Bervick, Newcastell, or Holy Iland; thair goodis liverit, inuentar takin of thame, and all put wp in suirtie, doubtles for our weill, be advyss of their English freindis, lest thay micht haue bene prayit vpone as traittouris goodis. Bot the schippis wes still keipit fra the sea, to our gryte greif, be directioun of the King, bot wes all restoirit bak agane, as ye may sie heirefter, folio .

The castell of Edinbrugh skarse of viveris.

About this tyme, the castell of Edinbrugh, scarce of freshe meitis, schot mvskatis at the tounes people and folkis scheiring there harvest, quhair sum wes slayn, and schot sum cannon at the toun; bot thay feirit not, nor wold suffer any prouisioun to be had to the castell. At last it wes givin ower, as ye may sie, folio 250.

Monro causis burne wp the huttis; removis fra Banf, efter he had vsit all crueltie.

Vpone Frydday 4th September, efter Monrois soldiouris had brynt wp thair huttis at Banf, spolzeit and plunderit horss, man, and goodis, and takin the haill insicht and plenishing carieagabill

out of the place of Banf, bookis, wreittis, and sic as thay culd get; and efter thay had takin doun the rooff and sklait af of the haill houss, broken doun the gestis, brak the iron windois, and careit [off] the iron wark, brak doun fixt wark and sylringis, leaving nather yet, dur, nor wyndo, lok, nor vther thing about this houss; pitifull to behold planting of orcherdis and yeardis distroyit, and all brocht to confusioun, his ground, men tennentis, servandis, freindis and followeris plunderit, (for the laird of Banffis causs) and grevouslie oppressit in thair persones, goodis, and geir. Efter thir deidis wes done, and no evill left vndone that crueltie could devyss, (except in this, thay spolzeit the places of Forglyne, Inschdrour, and Rattie, thrie vther houssis pertening to the laird of Banff, of girnellis, goodis, insicht and plenishing quhilk thay could get, bot left the houssis on tirrit or demolishit as the place of Banff wes) then I say, and thairefter, Monro liftit his camp fra Banf, and send in to New Abirdein befoir him the bischop of Morray; his tuo sones went with him, maisteris Johne and Androw Guthreis, with Monrois convoy, quhair he stayit, abyding his incuming. Sie more, folio . Thay, Monro and his soldiouris, (now amounting to 1000 men, maid wp be the help of the Erll of Seafort, and Morray, Ross, and Sutherland) merchit that nicht to Turref. Setterday, thay marchit thairfra to Innervrie and Kintor. Sonday, thay marchit thairfra to Abirdein; and be the way, at Bukis-burne thay had ane sermon taucht be there owne minister. Monro directit his soldiouris to be quarterit in the toun quhair thay war quarterit befoir. The tounes people cryis out there roumes wes takin wp be collonell maister of Forbes, his soldiouris alreddy. Monro ansuerit, he had send word befoir his cuming to provyde for him, and therefore he wold be servit. No remeid; it behovit to be done, and so wes quarterit, to the gryt greif of the honest tounes people, quhair he stayit quhill the 12th of September, as ye may sie, folio .

He send in to Abirdene befoir him the bischop of Morray.

He marchis to Turref, fra that to Innervry and Kintor, Sonday to Abirdein.

Thay had ane preiching be the way.

He is quarterit, to the gryt greif of the toune.

Sonday 6th September, no preiching in Old Abirdein; bot prayaris. Efter prayer, Johne Kilgour stood wp, chargeing the heritouris of Sanct Macher and Old Abirdein to go over the morne to the maister of Forbes, and give him wp thair rentallis trewlie; ilk man to pay for omitting ane boll to pay ten bollis, and for ilk pound ten poundis; besydes thair aith wes also takin. Quhairvpone the Oldtoun heritouris drew wp in wreit thair rentall about the toun,

Parochin of Sanct Macher, and Old Abirdein chargit to gif wp there rentallis.

extending to ellevin chalder vittll; quhairof ane chalder wes deduceit for payment of there few deuteis, and the tent pairt of the rest wes ane chalder, quhilk, *ipsa corpora*, wes presentlie payit to Mr. Robert Farquhar, commissare apointit for vplifting of the tenthis, as ye hard before, for mantenance of Marschall and maister of Forbes regimentis, according to thair seuerall diuisiouns ordered by committe. This rentall wes givin wp be vertue of ilk heritouris aith, subscrivit be the Oldtoun balleis, and had over be Mr. Thomas Gordoun, thair commissioner to attend the committe, to the maister of Forbes lodging, and producit befoir Patrik Lesly, prouest of Abirdein, Mr. Thomas Sandilandis, commissare, and sum vther honest men, apointit for receaveing of the rentis of the tent pairtis. It is heir to be markit, that albeit the heretour be deulie awand ane thousand merkis vpone the rent of ane chalder victuall; yit but respect to the debt the heretour must pay his tenth. Lyk as, at the payment of his thousand merkis or anuell thairof, he may retene as mekill in his owne hand as may pay the tenth out of the anuellis. So the heritour is onlie bot the first payer. And siclike, sic persones as had moneyis vpone bandis of anuelrent restand to thame, thay war not socht to give wp sic moneyis beiring anuelrent; bot the debitoris wes chargit vpone thair aith to give wp sic soumes as thay wer awand vpone anuelrent, and to pay the tent pairt of the anuellis to the commissare forsaid; of the quhilk the debitour sall keip payment out of the first end of the creditouris anuellis in his owne hand. Thus, wes this countrie orderit.

Commissare Farquhar getis payment of there tenthis.

The rentall is givin wp befoir sum honest men.

Nota.

Nota.

It wes said, thair fell out sum questioun betuixt Marschall and the maister of Forbes anent the vplifting of thir tenthis; the ane alledging that Marschall plukit wp all, both men and moneyis, within his diuisioun, quhairby he wes vnhabill to furnesh out ane regiment according to his ordour, haueing warrand fra the committe to tak wp the tenthis of 25 parochis, and men also, to mak wp his regiment, quhairof Marschall defraudit him. Quhairat the maister of Forbes and his freindis took exceptioun; and schortlie rydis south to the Tables, accompaneit with 100 brave gentilmen of his awin freindis, vpone thair owne charges, to complane vpone Marschall, who also quiklie followit him to Edinbrugh, as ye may sie heirefter, folio 255, and befoir, 227.

Sum questioun betuix Marschall and Maister of Forbes, anent the vplifting of thir tenthis.

Monro, his capitans and

Mononday, 7th September, major Monro, with his captenis and

haill wnder officiaris, wes maid burgessis of Abirdein, and gat the banket, (no doubt bot goodwill for his good seruice).[a] Ilk man gat ane burges act, quhilk thay pat wp in there bonnet. Sie more heirefter, folio 248.

officiaris, maid burgessis, and gat the banket, no doubt, bot with goodwill.

Ye may reid befoir, folio 241, how Generall Leslie raisit his army fra Cheslawod. The King had his traynit bandis and vther soldiouris, about 16000 men of foot, and four thousand brave horss men, who did litle good. Aluaies, forduard gois Leslie without gryte truble, being a matter plottit betuixt the English and thame, as may appeir, whose progress had the success following, takin fra ane printed peice in thir wordis:—

The King had his traynged bandis, horss, and foot, who did litle good aganist Lesly.

Sure newis from Newcastell, and from the Scottish Army, 27th August, 1640.

Vpone Thuirsday 27th August, at night, oure army arrivit within a myll of Newcastell, and expecting to haue past therethrow were disapointed, inrespect of the English garrisoun that wes therein; whiche Generall Leslie perceaveing, vpone Frydday morning betymes, marches forduardis to Newburne-foord, and resolued to pas there in spight of all oppositioun; where being advanced, and finding the pas fortefeit with strong trinches and breist workis, and six peice of cannon, did fynd it sum what hard, being gairdit with 3000 horsis or thereby, and 1200 fut; therefore wyslie he commandit his cannon to be secreitlie convoyit alonges a low way, to be placed vpone the face of a hill neir to that place, whence haueing a perfyt view of the English trenches and quarteris, did play so hard vpone them, that thay were forced to throw away there armes, disband in confusioun, and blow wp there owne pulder. Whiche disrout the cavalrie of the English perceaveing, resolued to mak good the pass, and recover the cannon and armes whiche the infantry had lost. Whiche thing our Generall perceaveing, commandit furth his owne collonell Leslie with the Fyf troupes, seconded by collonell Ramsay, togidder with that of Schir Thomas Hopes, his owne life gaird, of the college of justice, amounting in all to 1500, who did so resolutlie assault thame that thay were forsit to reteir, notwithstanding of there number being about 2500, and qualitie of there horss and armes far beyond oures or commoun beleif. After whiche retreat, thay resolued yit once agane to haue recoverd what there foot had lost. Bot our troups doubling there resolutioun and courage, did mak good, not onlie there first attempt, bot also put Schir Johne Suckling bak with his horss troups, being the prime of all England (whiche ar oppositis) to the retreat, took sum of his horssis, whereof one (being most excelent) wes presentit to our Generall be Mr. Thomas Hope, capitane of the lyf guard; the rest were left to the takeris, to encourage everie brave gentilman to ad-

The army within a myll of Newcastle.

Generall Leslie gois forduard.
His resolutioun.

The English disrout.
Thay resolue to mak good the pass.

Thay ar assaulted, and forced to reteir.

Agane thay go on, and takis the retreat.

Sum horssis taken; one presentit to the Generall.

[a] The 8th day of September, gevin to the bankett to Generall maior Monro and his captanes, in the counsall huse, conform to the particular count, £65 12 4 (Guildry Accounts).

ventour. There were lost in this conflict, (whiche lasted from Frydday at 12 a clok till 6 at nicht) about 80 English, and 40 or thereby taken, thrie quhairof being speciallis, the commissare generall, Schir Johne Digbie, and diuerss otheris. Of oures onlie there were 3 lost, Schir Patrik M'Geis eldest sone, Thomas Dalyng, a writtar in Edinbrughe, and one Baxter in Fyf, and sum otheris hurt, bot not deidlie. Therefter, the Generall passed the foord and encamped at Rytoun-feild; where, efter thankis givin to God for thair saif passage, deliuerie, and so good begining, [thay] did stand to there full armes all that nicht, my Lord Carnegeis regiment being left on the vther syde for guarding of the bagage. The Generall resolued in proper persone, to cognoss the entrie to Newcastell on the south syde; and taking for his convoy thrie horss troupes, with 400 fut commanderis, did advance thereto; and vpone Setterday thereafter had the toun renderit to him, where now thay ar by the favour of God, haueing power of all the cole and salt, which from thenss doeth furneish all England, and many foraigne pairtis. Finis.

80 English killed, and 40 takin.

3 lost on our syde.

The Generall passis the foord, thankis God.

The Generall gois to spy the entress to Newcastell.

Newcastell randerit, but straik of suord.

From the border, 29th August, 1640.

The garisoun of Bervick, perceaveing that our army were gone touardis Newcastell, efter thay were weill advanced, (as thay were assured) did resolue to brak vpone oure magasin of victuallis lying at Coldstreame, and either to haue takin or brynt wp the samen; but being preserved by the resolutioun and diligens of my Lord Haddingtoun, with the Humes of the Merse, and regiment of commanderis wnder livetennant collonell Kinmmonth, who wes left to attend and guard the samen, thay were disappointed of there intentioun, beat bak to there garisoun, with the loiss of sum of them and taking of otheris as prissoneris; since whiche tyme thay keip thame selfis quiet. Finis.

Ane assault be the garisons of Bervik to no effect.

At the end of this paper wes also imprinted the winning of the castell of Dumbreton, whiche follouis:—

From Dumbartan, 27th August, 1640.

Vpone Thuirsday, 27th August, the Erll of Argyll cam to Dumbartan, and haueing convenit the committe of warr within that schire, did schow to thame his directioun from the estaitis, and his vndertaking accordinglie, for intaking of the castell of Dumbartane. Wherevpone the governour of the castell heiring heirof, and not being able muche longer to stand out, send first for a parle of cessatioun of armes for a certane space; whiche the Erll denying, therefter, vpone sum articles agreit vpone, he had the castle randerit vnto him, where is found a gryte number of excellent brasen munitioun, and 12,000 wecht of pulder, with muche vther warlike preparatioun. The garisoun that wes thairin sufferit saiflie to cum out, and to ship at the Ness in Wast Lauthean to returne to England. Finis.

Dumbartan randerit to the Erll of Argile.

Store of cannon, pulder and amvnitioun.

At the end of this paper is also writtin.

Exurgat Deus, et dissipentur inimici eius.

Now may be sein with what policie both Newcastell and this strong strenth of Dumbartan is takin in, but schot of mvskat or straik of suord, to the marvell of many who knew not the secreitis of thir proceidinges. Aluaies, thair is found in Newcastell the Kingis magosun, apointit for susteining of the Kingis owne garisoun to keip the toun, whairin thair wes found aboundance of breid, wyne, beir, beiff, victuallis, and all sort of good provision; wherevpone the Generall Leslie and his army maid good cheir during thair abode. Dumbartan wes thocht to be gevin ouer for famein, for the King wes so slichtit, that he wes not abill to furnesh this impregnabill strenth with victuallis, quhilk if he had done, it wes invincibill; bot now randerit, the samen is presentlie furneshit with men, meit, and all necessar provisioun, to stand at the countries (bot not at the Kingis) opinioun.

Pollicie in taking of Newcastell and Dumbreton.

Generall Leslie lichtis vpon the Kingis magosin.

Newcastell thus takin in, the Generall caussis quarter his army pairtlie within the toune, pairtlie at Morpit and diuerss vther pairtis round about, within 12 myllis distant to the camp; quhair, to there incredibill joy, they leivit bothe on brughe and land at thair plesour, ay and so lang as thay remanit in that boundis. Sie more, folio 253. Bot this mirth wes suddantlie mixt with melancholie; for vpone Sonday 30th August, the Erll of Haddingtoun, with about 80 persones, of knichtis, barronis, and gentilmen, within the place of Dunglass in the Merss, pertening heritablie to the Lord Hume, wes suddantlie blawin wp in the air by ane suddant fyr, occasioned thus: Haddingtoun with his freindis and followeris, about the number forsaid, rejoiceing how thay defendit the armyes magosin fra the English issuing out of Bervick, as ye hard befoir, folio , cam altogidder to Dunglass, haueing no feir of evill; quhair thay were all suddantlie blawin wp with the roof of the hous in the air, by pulder, quhairof there wes aboundance in this place, and neuer bone nor lyre sein of thame agane, nor never tryell yit gottin whow this gryte staitlie hous wes with poulder so miraculouslie blawin wp, to the distructioun of this noble man, both worthie and valarous, and his deir freindis. This grevous accident wes bewaillit of many, bot cheifle of his deir sueit ladie and spous, Ladie Jeane Gordoun, who loist hir husband, as scho did hir brothir the Lord Oboyne, sie folio 7, both efter ane maner of death, and both by suddant fyre.

Frie quarteris. All Durhame, Northumberland, besydis Newcastell, payis well. The Generall quarteris his army, and thay ar joyfull.

The Erll of Haddingtoun, with 80 persons blawin wp in the air.

The occasioun of this fyre.

This grevouss accident bewaillit of many, especially of his Lady

The Kingis ansuer, and judgement.

It is said, when the King hard of this fyre, he ansuerit, he loist ane good subiect, bot the Lord God of Hostis wes fighting for him. Sie more of Generall Lesleis procedur heirefter, folio .

Capitane Forbes, *alias* Kaird, cumis to Old Abirdein with about 80 soldioris.

Tuysday 8th September, capitane Forbes, *alias* Kaird, cam fra Bartholomew fair to Old Abirdein with about 80 soldiouris, collectit of poor miserable creaturis, both hird and hyre men, wnder collonell maister of Forbes regiment.

Thay ar quarterit.

Thay war quarterit heir in Old Abirdein.

Him self and his wyf takis in Mr. Thomas Lilleis houss, who vexis him.

Himself with his wyf takis in Mr. Thomas Lilleis houss, where nicht and day, by his drinking, bosting, and bratlying, Mr. Thomas with his wyf and barnes wes sore vext. The Oldtoun people wes compellit to give thame frie quarteris, or to abyde plundering of this cappit capitane; and so thay sustenit his soldiouris quhill the 14th of September frielie, but ony payment. Therefter

Thay ar transportit to New Abirdein.

thay war transportit to New Abirdein. Sie folios 249, 250.

The subscrivit rollis of this schirefdome presentit.

Tuysday forsaid, ilk minister within the schirefdome of Abirdein cam with the commissioner of his parochin to the toune; and thair, in presens of Patrik Leslie prouest, Mr. Thomas Sandilandis, commissare younger, and sum otheris, presentit the subscrivit rollis of the tenthis givin wp be the oath of ilk subscriver, as thay who had commissioun to receave and sie the vpgiveing of the saidis rollis;

Commissare Farquhar takis payment.

bot commissare Farquhar took wp the payment.

Ane roll of the men in ilk parochin givin wp.

Ilk minister also gave wp ane roll of the haill maill commvnicantis within his parochin, quhairby it micht be wnderstand how many fighting men micht be levied out of ilk parochin to the good causs.

Monro chargis New Abirdein to furneiss his soldiouris with clothing, sarkis, and schois; quhilk wis done.

Wednisday 9th September, major Monro, now maid burges of Abirdein, as ye may sie, folio 245, and more then ane gild brother, commandis strictlie the tounschip to furneish his soldiouris with clothing, sarkis, and schois, quhilk wes obedientlie done; nixt, to

To furnish him 10,000 markis, and to get payment bak fra Farquhar, quhilk he and Cochrum oblegit them to do; quhilk wes obeyit.

furnesh presentlie to him ten thousand merkis for convoying his soldiouris south, and to receave repayment bak fra the commissare Farquhar out of the tenthis within the schirefdome of Abirdein, quhilk he and Walter Cochrum becam bound to do; quhilk thairvpone wes providit be stenting of the toune, and quhairof I hope thay gat bak payment agane fra the commissare and his deput

And to furneish careage horss.

Cochrum; and 3, the toune to furnesh careage horss for transporting of his cannon, bag and baggage, to Stanehyve.

Him self cam to the Oldtoun, and tuke all the horssis thair.

And surelie him self cam over to the Oldtoun, tuke the haill horss thair, and

vther horssis going bak with tome creillis fra the toune, who were transporting peitis. Monro haueing gottin his haill demandis, he leaves behind him in the brughe sum bandis of collonell maister of Forbes, quarterit within the toun, sumtymes frie, sumtymes for payment of litle; so that Abirdein wes still holdin wnder the yok of slaverie and servitude. And thus, on Setterday 12th September, he began to marche fra Abirdein vpone frie quarteris, quhilk he deulie repayit, as ye may sie, folio . He takis the thrie Spangzeardis with him, and his owne men out of Drum, (quhilk Marschall causit schortlie agane to man with his men, whome with the ladie wes not so weill contentit as befoir, quhairvpone scho left Drum and duelt in Cromar whill scho saw about hir, thay still leiving vpone the lairdis rentis) sie more, folio , had thame to Leith, quhair there vther fyve fellowis wes also takin; bot what cam of thame I can not tell. Now Monro marchis the first nicht to Stanehyve, quhair he sendis bak the toune, Oldtoun and Newtoun, and the countrie thair careage horssis, and furneshis out of the Mernis vther careage horssis, and sua furth whill he cam to Dundie, quhair he also commandit thame to give him ten thousand merkis, quhilk for feir of his residence thay war forsit to pay; and so past to Edinbrughe, where his regiment wes now 1000 men good of infanterie, with sum horss men. He brocht also with him the bischop of Morray wp the streites, and presentit him to the estaitis, wha incontinent causit waird him in the tolbuith of Edinbrughe, quhair he remanit with a havie hart, quhill ye may sie, folio ; sie also . His wyf all this tyme remanit in Spynny, and neuer went to sie hir husband in waird or out of waird.

Monro getis all his desires. He leaves behind him sum of the maister of Forbes bandis.

He begins to marche, and takis the thrie Spangzeardis and his own men out of Drum with him, quhilk Marshall schortlie manit; bot the Ladie left the houss. Thir thrie Spangzeardis was had to Leith, quhair thair vther fyve fellowis wes also takin. Bot Monro marchis the first night to Stanehevin, and sendis bak to Abirdein there careage horssis.

He cums to Dundie, and getis 10,000 merkis, so to Edinbrugh. His regiment was 1000 men good.

He brocht the bischop of Morray with him wp the streitis of Edinbrugh, and presentit him to the estaitis, who was wairdit.

Mononday 14th September, capitane Kaird with his 80 soldieris wes transportit fra Old Abirdein to New Abirdein, quhair thay had frie quarteris, and the Oldtoun wes releivit of this havie burden.

Captane Kaird wes transportit, as is said, with his soldiouris.

Tuysday 15th September, pairteis direct out be collonell maister of Forbes, to go within his divisioun and plunder sic as had not payit thair tenthis and thair fourt man; quhairby the country people within this schirefdome wes daylie grevously vext with thir pairteis of souldieris, and forsit to obey, vtheruayes thay wold sit doun in honest menis houssis and leive vpone there meinis in ryot, whidder thay wold or not, the collonell him self being south, bot done be his officiaris. Sie befoir, folio 227, and heirefter, folio 255.

Collonell maister of Forbes vexis the cuntrie for the fourt man and tenthis, done be his men, him self being in Edinbrugh.

Generall Ruthven randeris the castell of Edinbrugh vpon good resones.

Him self with his soldioris went out honorablie, as wes condiscendit.

Generall Ruthven, capitan of the castell of Edinbrughe, seing no appeirans of help fra the King, as wes often promesit, and finding victuallis grow scant, haueing nather wyn, beir, nor aill, that could endure, resoluit to strik and parle be drum. The Erll of Argyll cam wp to the castle vpone touk of the drum, who told him Dunbreton wes givin over be crouner Hendersone, capitane thairof. He could hardlie beleive the same, quhill he saw the capitane, who wes his awin goodbrother. At last, efter good advysment, he randerit the castle, vpone conditionis that he and his soldioris sould go out honorablie, careing collouris, cokkit luntis, birning matches, touk of drum, with bag and baggage, and to marche fra the castell doun throw the toun in good ordour and array. With sum difficulteis thir conditiouns wes grantit, efter sum skaith doun to the toune vpone Argyllis first refusall. Aluaies, the castell is now randerit,

The Royall ornamentis is in this castell, with aboundance of ammvnitioun, pulder, and ball; bot scant of meit, drink, and water.

quhairin the royall ornamentis of the croun, viz., croun, suord, and scepter wes surelie keipit, besydes aboundance of ammvnitioun, pulder, ball, and vther commoditeis (bot veray litle meit, drink, or water) quhilk be command of the estaites wes all put in inuentar.

Ruthuen cumis furth with about 70 soldioris, and 32 wemen.

Heirefter Ruthven cumis furth with about 70 soldieris and 32 wemen. Thay cam doun the streit according to commvning, with tua pot peices also.

There war 12 persones killit, and 8^{xx} deit of seikness.

Nynescoir slayn to the toun.

Thair wes about 8^{xx} persones deit throw ane seiknes quhilk cums by eiting of salt meites, and 12 thairof onlie slane all this tyme; and about nynescoir personis, men, wemen, barnes, young and old, of commoun people slayne to the toun, and gryt skaith done to thair houssis by schot of cannon fra the castle. Thair wes

He was convoyit to Leith.

sum of the covenanting nobles convoyit crouner Ruthven doun the get with his soldiouris doun to Leith, quhair he, and sic of his men

He imbarkis, and gois to Bervik.

that wold follow him, imbarkit and saillit directlie to Bervick, syne went to his Majestie. Thairefter, ane touns man of Edinbrughe,

Stephan Boyd is maid capitane.

called Stevin Boyd, wes maid capitane of this castell, who enterit with sum soldiouris to keip the samen. And about this tyme, the

Scarlauerok randerit.

strong castell of Carlaverok yeildit also and randerit to the covenanteris. The castell of Edinbrugh wes randerit vpone the 15th of September.

Williame Scottis houss spolzeit at Marshallis command, him self absent.

Vpone Wednisday 19th September, Androw Hamptoun, seruitour to the Erll Marschall, and at his command, violentlie spolzeit Williame Scottis hous in Abirdein (him self being fled fra the good

causs out of Scotland) of daillis, gestis, and vther fyn tymber, salt, tabacco, and the like commoditeis, quhairof there wes plentie, and by sea transportit the sam to Dunnotter, to the wrak of the honest man.

Frydday 21st September, Mr. Williame Mvschat, minister at Slaynes, with diuerss vtheris outstanding ministeris, thair day about, cam in, recantit, repentit, and preichit ane penetentiall sermon; and Leitche preichit the forsaid day, and gave obediens to the ordinans of the kirk.

Mr. Williame Mvschat. and sindrie vther ministeris repentit, and recantit.

About this sametyme, both Abirdeins commandit wnder pane of plundering, to leid peites to collonell maister of Forbes, fra Pervynneis to his lodging in New Abirdein, without payment; grevous to the people, now in top of harvest.

Both Abirdeins chargit to leid peitis to the maister of Forbes lodging.

Word also cam about this tyme, that his Majestie wes fast cuming forduard with ane gryte army, his traynit bandis and sindrie nobles, touardis York. Bot he most pollitiquelie is stayit step and step be our Scottis and English, as may heirefter appeir. And first to begin the play, Generall Leslie be advyss supplicatis his Majestie, and send 7 articles to him of the contentis following:—

His Majestie is said to be cuming to York, bot is stayit.

The just Demandis of the estaitis of Scotland ar these:—

1. That his Majestie wold be graciouslie pleasit to command that the last actis of parliament be publishit in his Majesteis name, as there Soveraigne Lord, with consent of the estaites convenit by his Majesteis auchtoritie.
2. That the castles of Edinbrugh, and other strenthis of the kingdome, may, according to there first institutioun, be furnished and vsit for defens and securitie of the said kingdome.
3. That Scottis men in his Majesteis dominionis of Ingland and Ireland may be fred from censure for subscriveing of the covenant, and be no more pressed with oathis and subscriptionis vn-warranted by the lawis, and contrary to there nationall oathe and covenant approvin by his Majestie.
4. That the commoun incindiaries that hath benc the authoris of this combustioun in his Majesteis dominiouns may receave there just censur and pvnishment.
5. That Scottis schippis and goodis with all the damage may be restoirit.
6. That the wrongis, loissis, and charges, whiche all this while the estaitis haue sustenit, may be repairit.
7. That the declarationis maid aganist the Scottis as traittoris and rebellis [illegible] recallit.

It apeiris that Leslv hes not gottin word, quhen the castell of Edinbrugh was randerit.

And fynallie, that, by advyss and consent of the estaitis of Ingland convenit in Parliament, his Majestie may be pleissit to remove the garrisouns from the borderis, and ony impediment that may stop frie trade; and with thair advyss, to condiscend to all particularis that may establishe a stable and well grounded peace, for injoying our religioun and liberteis in all tyme cuming, aganist all feir of molestatioun by the continuall attemptis of the adversaries of either, as thay sall tak advantage.

Finis.

The King, with his army, cums to York.

His Majestie being cum with his army about this tyme to York, receaved the paper abouewrettin, and causit summound the peeris of England to compeir at York for resolveing vpone thir materis. Thay gave obedience and compeirit, except the Erll of Essex and the Erll of Hairtfurde, who by there commissioneris send in word to the King that thay durst not compeir at York vpone his citatioun for feir of there lives; becaus his army wes lying at York wnder the commandiment of noble men papistis, there vndoubtit enemeis. At this his Majestie took offens, as ye sall schortlie heir. Bot befoir his Majestie causit summound the peeris, as is formerly said, there wes presentit to his Majestie at York ane vther petitioun, imprinted by his English subiectis, whiche tendeth thus:—

The humill petitioun of your Majesteis loyall subiectis, whose names ar under writtin, in behalf of thame selfis and diuerss vtheris.

Most gratious Soveraigne,

Ane petitioun to his Majestie.

The senss of that deutie and seruice whiche we owe to your Majestie, and our ernest desire and affectioun to the good and weilfair of your realme of England, hath moveit ws in all humilitie to beseech your sacrad Majestie to give ws leive to offer to your princelie wisdome the aprehensioun whiche we and otheris, your faithfull subiectis, haue conceaved of the gryte distemperis and dangeris now threatned to churche and state, and to your royall persone, and of the fittest meinis whairby thay may be removit and prevented. The evillis and dangeris, whairof your Majestie may be pleissit to tak notice, ar these:—

1. That your sacrad Majestie is exposed to haserd and danger in the present expeditioun aganis the Scottiss army.
2. By occasioun of this warr, your revenewis are most wasted, your subiectis burdenit with coat and conduct money, billetting of soldiouris and vther militarie charges, and diuerss ryotis and disorderis committed in seuerall pairtis of this your realme by the soldiouris raised for that service, and your whole kingdome becum full of feires and discontentis, yea, sindrie innovationis ar in materis of religioun; the great incress of popery, and the im-

ploying of popish recusantis, and otheris evill disposit to religioun, by law established, in places of power and trust, speciallie in commanding of men and arms, bothe in the feildis and sindrie pairtis and countreis of this realme, where as by law thay ar not permitted to haue armes in there owne houssis.

3. The gryte mischeif that may fall vpone the kingdome, if the intentionis whiche haue bene crediblie reportit, in bringing Irish forces, sould tak effect.
4. The vrgeing of schip-money, and prosecutioune of sum schireffis in the star chalmer for not levying of it.
5. The havie charges vpone marchandice to the discourageing of trades, the mvltitude of monopoleis and vtheris patentis, quhairby the commoditeis and manufactoreis of this kingdome ar muche burdenit, to the gryte and vniuersall greivance of your people.
6. The gryt greif of your subiectis by the long intermissioun of ane parliament, and the lait and former dissolveing of suche as haue bene callit without the happie effectis, whiche otheruayes thay micht haue produceit.
7. For remeid quhairof, and preventing of the dangeris that may ensew to your royall persone and the whole estait, thay doe in all humilitie and faithfulnes beseche your most excellent Majestie, that ye wold be pleasit to summound ane Parliament within sum schort and convenient tyme, whereby the caussis of these and other grite greivances may be taken away, and the authoris and counsalloris of them may be brocht to suche legall tryell and condigne punishment, as the nature of there seuerall offences sall requyre; and that the present warr may be composit by your Majesteis wisdome without blood, in suche maner as may conduce to the honor and saiftie of your Majesteis persone, the comfort of your people, and the vnitie of your realmes, aganist the commoun enemy of the reformed religioun; and your Majesteis petitioneris sall euer pray for your happie raigne.

Sic subscribitur,

Frances Bedford,
Hairtfoord,
Essex,
Warwick,
Rutland,
Exceter,
Montgrave,
Say and seall,
Mandiuill,
Eduard Hovard,
Robert Brook, &c., and many otheris.

Wherevnto his Majestie, by his secretar, answerit thus:—

The Kingis answer.

Befoir the recept of your petitioun, his Majestie did weill foirsie the dangeris that threatned him self and his realmes, and therefoir resolveth, by the tuentie fourt of this moneth at York, to summound all the peeris, and with thame to consult in this cace, what is best to be done for his owne honor and the saiftie of the kingdome, where thay with the rest may offer suche thinges as may conduce to those endis.

Finis.

Thir petitioneris ar plane plotteris.

Now both petitioun and ansuer wantit daites, and thir petitioneris alledgit to be the prime plotteris with our Scottis of all thir bussiness. Aluayes the King heir causis summound his peeris, as is formerlie said; bot Essex and Hartfoord wold not compeir, bot gave in there pretendit excuses; quhairvpone the King gart ward bothe there commissioneris, bot were schortlie put agane to libertie. Now the peeris obeyit the Kingis summoundis, and for the most pairt cam to York; bot there cam about 1000 of Englishmen nar hand, bot wold not enter the toune of York, vpone there owne ressones, and petitionat the King for ane frie parliament, for redressing of the greivances of that kingdome, both in churche and pollicy, and for satling his Majestie with his subiectis of Scotland. At this meiting also, the lower houss and sum citizenis of London petitiound the King for ane frie parliament, and for satling with Scotland; quhilk petitioun, as wes said, had 7000 subscriptionis.

The King causis summond his peiris. Essex, and Hartford refuisis. Thair commissioneris wardit, put to liberty.

Vtheris cums, bot wold not enter York.

Thay crave ane parliament.

Londoneris seikis ane parliament.

The King, thus vrgit with so many petitiouns for ane parliament, all at this tyme of the conventioun of his peeris at York, quhilk wes vpone the 24th of September, at last yeildis to thair inopertune petitionis, and indictis ane parliament to be haldin at his owne pallace of Wastminster the 5th of November nixtocum, be consent of his peeris convenit thair for the tyme. Howsone the English had gottin ane parliament indicted, then thay began to exult and rejoice and resolvit to haue the Scottis satled to thair awin contentment, and to wirk out thair awin desires in England, according to there owne plesour. And for oure Scottis pairt, thay begin evin then to draw on ane meiting betuixt 15 English nobles and vtheris, and 15 Scotch nobles and vtheris, to meit at Northallertoun the first day of October nixt for pacificatioun, and his Majestie to send ane saif conduct, wnder his hand, to the Scottis commissioneris. And in the meintyme, a cessatioun from warr to the 16th of December nixt, prissoneris on both sydis to be restoirit; and dureing this cessatioun from warr the Scottish army to get monethlie pay out of Northumberland, Wastmurland, and Cumberland, for there sustentatioun, and to saif the countrie from plundering. This wes at this tyme condiscendit at York. By and attour thay had for there provisioun the Kingis magozin in Newcastell, and the customes of coill and salt of that toune, whiche is of no small importans, and daylie suppleit and helpit out of the bischoprik of Durhame. Thus, wes our

Ane parliament indicted to the 5th of November.

The English winis there point.

Ane meiting drawin on betuixt Inglish and Scottis, yit was not keipit.

A cessatioun from warr.

The Scottis to be sustenit.
Prissoneris to be releivit.

Prouisioun at Newcastell

Scottis army, that cam in to seik the King, royallie intertynneit at Newcastell; quhairat the Englishmen wes weill contentit, as being done of there owne consent and privie pactioun; bot the King had his army lying also in England, sustenit vpone his owne pay and expenssis. So is he handlit, and in place of taking ordour with oure army, according to our desertis and his Majesteis honor, a parliament is grantit, and a parlie of pacificatioun drawin wp betuixt him and his Scottish rebellis; quhilk parliament brocht the King in many troubles, and to the schedding of mekill innocent blood, both in England and Ireland, as efter ye sall heir. Aluayes, thair follouit no meiting at Northallertoun, bot the King leavis his army lying at York, and rydis to the parliament. Sie heirefter, folio 260.

Our Scottis well servit for seiking the King.

The King payis his soldiors.

A parle of pacificatioun.
A parliament is grantit.

Mekill sorrow followis.

And becauss his Majestie wes not weill acquent with our Scottis lawis, nor wes abill to give ansuer to the first demaundis of the estaitis of Scotland without good informatioun; therefore, and to the effect his Majestie sould go on legallie, he sendis post for Schir Lues Steuart, ane of the pryme aduocatis of Edinbrugh, to repair vpone saif conduct to his court at York, who, befoir his Majestie past thairfra, cam and conferrit at lenth anent the lawis of Scotland. What satisfactioun he gave to the King I knaw not, bot the King rode his way, and Schir Lues gat no thankis for his travellis from the estaitis, bot reput ane incendiary, and brocht wnder gryte truble, as ye may heirefter sie, folio .

Schir Luess Steuart send for.
He cumis to the King.

Thair conferrence.

He getis no thankis.

Generall Leslie lying at Newcastell, and heiring how materis went, gave licens to sindrie gentlemen and vtheris to cum home to Scotland, vpone strait conditioun of there returne vpone aduertesment. So he loist nothing by there absens, becaus he wes still payit for thair meit and wages, as if thay wer vpon seruice. Sie more heirefter, folio .

Lesly gives leive to sum soldiouris to cum home.

Vpone Wednisday immediatlie befoir Mihaelmes, and 23rd of September, quhilk is the ordiner day for electioun of the maiestratis of Abirdein, Patrik Lesly, a pryme covenanter, is now gynit prouest, with a cleir electioun, for a yeir, suppose dischargeit of that place abefoir. Sie folio 30. Williame Forbes, Thomas Mortymer, Johne Leslie, and Alex^{r} Joffrey, balleis.

Maiestratis of Abirdene chosin.
Patrik Lesly prouest, and prouest 1639; bot wes dischargit in anno 1635, folio 30.

The laird Drum (lying wardit in Edinbrugh) is contynewit schiref

Shiref of Abirdein.

principall of Abirdene for ane yeir. Mr. Williame Dauidsone remanit constant schiref deput, as he who wes placed thairintill *ad vitam*.

Schiref of Innernis.

Schiref of Inuerniss.

Ye hard befoir of sum miscontentment, folio 227, betuixt the Erll Marschall and the maister of Forbes. Thay go both befoir [the] Tables. The Erll alledgit none aucht to haue regimentis in the schire of Abirdein bot him self, and that the maister of Forbes in his service sould follow him. He ansuerit, he wes the cheif of ane clan, who had gottin ane regiment, as he did, and that he wes not oblegit to follow any subiect in his seruice. The Tables declairit him to keip his owne regiment, and tak wp men and money within his awin diuisioun, and that Marschall sould haue no midling with him. Sie more heirefter, folio 265, folio 288.

Marschall and maister of Forbes orderit.

Thuirsday 1st October, Doctor Scrogy, vnhable to keip his ministrie, frielie gives over the samen befoir the presbitrie of Abirdein; and Mr. Williame Strathauchin, persone of Meithlick, getis transportatioun to his kirk of Sanct Macher, and thairwith gettis his duelling hous, orcheardis, and yairdis, whiche with panes he had plesandlie planted. He had four hundreth markis, as wes said, fra this Mr. Williame for his goodwill of his bigging and yairdis, and he enterit thairto at Witsonday nixt, 1641; and this honest old reverend man, of good literature, judgement, and wnderstanding, forsit to quyte his place, his charge, and duelling place, besydis plundering of his meins by Marschall, as ye may sie befoir, folio . Bot do his best, (thoght out of tyme) he is forsit to yeild, cum in, and subscrive the covenant. Sie heirefter, folio 338. Thairefter, be moyan he getis aucht chalderis of victuall out of Ross, and his goodsone Mr. Alex[r] Innes, minister at Rothimay, alss mekill. Sie heirefter, folio . Doctor Scrogie renuncit his charge, as said is, and Mr. Williame Strathauchin gat the samen, as ye sall heirefter sie, folio 264.[a]

Doctor Scrogie, minister quytis his place.

Mr. Williame Strathauchin is translaitit thairto.

He getis his plesand duelling and yairdis, and payis 400 markis thairfoir.

He enteris at Witsonday 1641, and Doctor Scrogie removes.

He is sore vext, yit forst to yeild, and cum in.

He getis 8 chalderis victull, and his goodsone, alss mekill out of Ross.

Setterday, 3rd October, ane committee holdin at Abirdein, quhair the cordineris of both Abirdeins wes commandit, wnder the pane of plundering, (sitting in the tolbuith) and the haill cordineris both in

A committe in Abirdein.

The cordineris convenit in brughe and land.

[a] For notices of Dr. Scrogy, see Gordon's Hist. of Scots Affairs, vol. iii., p. 227. Note.

brughe and land about the toun convenit, to give wp, be vertue of there oathis, the number of thair ledder, and to mak wp befoir the xi. of October instant, thair portioun of 20,000 pair of schois of 10 and 11 insche at the leist, to be send to Newcastell to Generall Lesleis soldiouris; and siclike, the marchandis commandit to furnesh thair pairt of thair clothis and sarkis, being in all 20,000 soot of apparell and 20,000 sarkis. And the committe took exact tryell what gray claith, hardin, bleichit and vnbleichit, the marchandis had. What suld more? Obedience and patiens perforce. Bot our country people had dar schone thairefter, sum paying xls., sum 36s., that wont to be coft for xx. or 24s. Thir cordineris wes sore vext, for with there owne handis thay war forsit, ilk man to wirk his proportionall pairt, becaus thair seruandis and appretenssis wes takin fra thame in Marschallis regiment, as ye hard befoir, folio . Thus is Abirdene holdin in contynuall miserie. Old and New Abirdene furneshit out fourscoir four pair of schois for there pairt, and gat payment be the estimatioun of four suorne men for the ledder, bot no payment for thair warkmanschip. The Oldtoun people had 17s. for ilk pair, bot if thay had bene selling thame, thay wold haue cost 30s. Aluaies, schois, sarkis; and clothis, maid wp in cot and brekis, wes all schipit at Abirdein, and transportit to Newcastell. And it is to be nottit, that the landuard had thair owne pairt by and attour the tounes of Abirdein. Sie more, folio 286.

Thay ar ordanit to mak schone, to be sent to Newcastell.

The marchandis to furness clothis and sarkis.

Deir schone in this toun.

The cordineris compellit to sew schone.

Both Abirdenis sore vext.

Payment for ledder, bot none for wark.

17s. the pair, quhilk culd not be sold for 30s. Clothis, schois, and all schipit at Abirdein, and transportit to the soldioris at Newcastell.

Sonday 4th October, fast and prayer in New, bot not in Old Abirdein, for a happie success of our army.

Fasting and prayer.

The siluer wark of Dundie wes about this tyme takin wp vpone suirtie, and cungzeit for the army. Sie folio 229, quhair Edinbrugh did siclike.

The siluer wark of Dundie takin wp and cungzeit

About this tyme, Mr. Gilbert Ross, minister at , wes transportit thairfra to Doctor Gordoun his ministrie at Elgyne, who had fled the kingdome, being aganes the covenant; and be ordour of the generall assemblie his place wes thus fillit.[a] Sie folio 285, and more of this Ross, folio 286.

Mr. Gilbert Ross is now minister at Elgin.

[a] 'Gilbert Ross admitted Sept. 24, 1640, died August 14, 1644.' (Shaw's Hist. of Moray, p. 379. Elgin, 1827.)

Mr. Alexr. Reid is set at liberty, and cumis home.

Mr. Alexr Reid is now, vpone his owne large expenssis, put to libertie out of the castell of Striviling, and vpone Frydday 9th October he cums home to his owne hous in Abirdein, haueing keipit waird pairtlie in the tolbuith of Edinbrugh, and pairtlie in the castell foirsaid, since the 11th of Junij. Sie folio .

Mr. Robert Farquhar getis payment of the bischopis rentis.

Mr. Robert Farquhar commissare hes charges raisit in King Charles name aganes the fewaris and vassallis of the bischoprik of Abirdein, to mak payment to him, as commissare within this province, of the haill maillis, fermes, and deuteis, addebtit be thame to the last bischop, wnder the pane of horning, conforme to ane ordinans in the last sessioun of parliament. This charge wes gevin vpone the forsaid nynt of October heir in Abirdein, and gat schortly obediens but delay.

None to communicat, bot sic as had subscrivit the covenant.

Sonday 11th October, it wes declairit that the commvnioun wes to be givin in New Abirdein vpone the nixt Sonday; ordaning sic as had not subscrivit the covenant to cum in on Tuysday before and subscrive, vtheruayes to be debarrit fra the table. This wes said efter sermon, out of the pulpit of New Abirdein; by and attour to wnderly the censuris of the kirk.

How Mr. Williame Strathauchin is gynit to be our minister.

The parochineris of Old Abirdein gynit out cannellie Mr. Williame Strathauchin forsaid to Doctor Scroges place, sie folio 250, for certane endis that sum had in the bussines. Thay send to the presbitrie of Abirdein tuo commissioneris declairing thair minister wes deposit, the parochineris had no sure minister to serve and celebrat the sacramentis, and wissit, if it micht be done, the foirsaid Mr. Williame Strathauchin to fill his roume, as he who is both lernit and of good life, as wes most true; quhilk wes grantit. Sie more heirefter, folio 259. Mr. Robert Ogiluy, subprincipall, getis his kirk; Mr. Alexr Middiltoun fallis subprincipall; thairefter Mr. Patrik Gordoun is maid ane regent, who wes seruand to the laird of Haddoche.

Harthillis distress.

Ye hard befoir, folio 219, how Johne Leith of Harthill wes wairdit, going with ane rakkill of iron about his foot. The gentilman, being so rochlie and vncharitablie vsit, almost becam furious and mad. He gat ane smithis fyll convoyit in, quhairwith he schure the iron from his foot, and being louss he cam to the tolbuith windo, and horriblie cryit out, threatned and boastit Patrik

He turnis almost mad.

He raillis, and cryis out.

Leslie, prouest, and Mr. Robert Farquhar, with vtheris his vnfreindis, and with fyre intendit to burne throw the volt. Quhilkis misbehaveour being considderit, the toun wreit for ane warrand fra the committe to transport him to Edinbrugh, quhairby thay micht be frie of his trubbill. And sua vpone Tuysday, 13th October, Mr. Williame Dauidsone, schiref deput of Abirdein, convoyit him to the schiref of Mernis;[a] and sua fra schire to schire he wes convoyit to Edinbrugh, and immediatly wairdit within the tolbuith thairof. Pitifull to sie ane gentleman, chief of ane clan, of good rent, so extremelie handlit, but mitigatioun or agriement, seing none wold be cautioner in lawborrowis for him, being a disperat peice; and so he lyis thair, sie heirefter, folio , that his excellens the Marquess of Montroiss commandit to set him and all the prisoneris to libertie.

He is transportit to Edinbrugh.

He is wairdit, and rigorously handled.

Tuysday, [Thuirsday] 15th October, ane committe holdin at Abirdein be the lairdis of Monymvsk, Kermvk, Phillorthe, Cragiwar, the tutour of Petsligo, the goodman of Balnagask, Auchmedden, and som vtheris.

Ane committe at Abirdein.

The said Thuirsday, hapnit ane schip belonging to Abirdein, quhairof Peter Moir wes skipper, ladnit with iron, hempt, lynt, butter, cheiss, salt, and the lyk commoditeis, with sum moneyis also within her, wes sein pitifullie to synk, the day being calme, and fair sone schyning, by out outgoing of ane plank. The men wes all saiffit, God be praisit, bot schip and goodis sank to the ground cuming fra Birran anent Bervy, to the furderans of the lois of Abirdein.

Ane schip pertening to Abirdene perishit.

The presbitrie of Abirdein vpone this Thuirsday gave ordour to remove Doctor Goold fra his ministrie at New Abirdein, and to enter him self to the principalitie of the colledge of Old Abirdein, according to his electioun; and he obeyit and enterit hame that samen day. The first wark that he began wes, he yokit George Ronald, mesoun, to the Snaw Kirk,[b] and kest doun the wallis thairof,

Doctor Goold enteris to the college. Sie folio, 228.

Snaw Kirk demolishit be Doctor Goold.

[a] Item deburst for thrie faddomes of towes, whan Harthill wes tein doun out of ward perforce, . . £0 5 0 (Treas. Accounts, 1640-41.)

[b] The Church of St. Mary *ad nives* in Old Aberdeen, was founded by bishop Elphinstone, in virtue of a bull from Pope Alexander VI., dated 1st March, 1497. After the Reformation it was granted to the King's College by James VI., and confirmed by an Act of Parliament in 1617.—'Ratificatioun to the the old colledge off Abirdene.' (Acts of Parliament of Scotland, vol. iv., p. 576).

[illegible] as was standing, and came thereupon the same to big up the mylage yairt fyres and to inquyr the newes quhit is the deuyll cummer within within the said toune, whereat many Gilcom people awondrit, the same being the parochin kirk steiplone of Old Aberdein, within the quhilk thair remains and forbidderis war put. The persoun and sum vther followis with him to this wark, who was payit for it the mylage yaires but not out of the fourars. He thio 24. quhair he tuke his leive of the toun of Aberdein, and thairefter he remuvit *emphicter* to the colledge.

Thairin, the superstitious, the superstitious hatred of the army

The laird of Frendraught, with his friends, goes to Aberdeen to meet the army.

The 1st day of December, quhilk was upon a Monday, he came to Aberdein, and his gaing fra Aberdein south. His men was quartered in Leith, Futhes-mow, and Mussilburgche, and vther partis thereabout, quhair he remanit quhill Fryday the 5 day, quhen marchit southis the army. Be the way, within 2 myllis to Berwick, his suldiouris begane to pray vpone the wemes scheip, as thair wes na vther pastour scheip, and fell in fechting with Montrois suldiouris, quhair his awne sister sone was slane slayne.

The 1st day of December, word cam to Aberdein that the bischop of Ross was nominat to ane his bischoprik in Ireland;[1] a humble man in his awenties, and thocht to be ane evill patriot and vyeand enimye of the Covenanters within the churche. See more of him hereafter, fol.

The bishop of Ross promoted to Ireland, a humble man, and thought to be an evill patriot

Now fourie dayis bening thairw New Aberdein for men, to mak vp Montrois regiment of Foties regiment of 1000 men: bot do his best he could cowld nocht mak vp 300 men, and sic as he had wes quartered all in New Aberdein, having now vpone the tenthis. See more, fol.

Montrois wanting, or lacking of the number of 1000 men of his regiment

Tuesday 20th December, and thrid Tuesday of the samen moneth, the provincial assemblie sat heir in New Aberdein, as is nottit on the vther syd.

The provincial assembly at New Aberdeen

[1] John Maxwell, bishop of Ross, was promoted to Orkney in the end of January, 1638, which is the date referred to in the text. See also an account of his proceedings in the Assembly at Glasgow, 1638, in the Appendix of the first volume of the Bannatyne Club edition of Spalding's History of the Troubles, where Maxwell is described as having "ane humble countenance, and behaved himself verie modestlie." He was translated to the archbishopric of Tuam, but hearing of the King's misfortunes in England, he was heavily affected therewith, that he was found dead in his closet upon his knees, 14th February, 1646." (Keith's Catalogue of Scottish Bishops, p. 203. Edin., 1824.)

It wes said, thair fell out sum miscontentment betuixt Generall Leslie and the Erll of Montross, quhair the Erll wes suspect of letteris passing betuixt the King and him, without reveilling thairof to the Generall, according to ordour of armes. Whidder trew or not, I can not say, bot it wes wyslie and schortlie supprest. Sie more heirefter. Miscontentment betuixt Generall Lesly, and Montross.

Mononday 19th October, skipper Findlaw imbarkit within his schip the Lord Ogiluy, the lairdis of Petfoddellis, elder and younger, the young laird Drum, Donald Farquharsone of Tulligarmouth, Mr. James Sibbald, minister at Abirdein, with sum vtheris. Loosit out of our harberie, to the sea for England go they. Collonell maister of Forbes, lying with his soldiouris in Abirdein, heiring of thair voage, wes offendit, bot could not mend him self. Aluaies he aduertesit the estaites of Edinbrugh of thair going, who gave him no thankis that waittit not better on vpone sic seruice. Sie more, folio 288, of there returne. Lord Ogiluy, Drum, Petfoddellis, Donald Farquharsone, Mr. James Sibbald, schipis at Abirdein. Maister of Forbes getis litle thankis.

The thrid Tuysday, and 20th day of October, the provinciall assemblie sat doun in New Abirdein. Mr. Robert Reid, persone of Banchorie, maid moderatour to the nixt assemblie, and Mr. Williame Strathauchin ordanit to transport himself fra the kirk of Meithlik to the kirk of Old Abirdein, to serve the cure thairat, in the deposit Doctor Scroges place, quhilk he obeyit. Sie more hereefter, folio . Mr. Robert Ogiluy, subprincipall, gois to his kirk; Mr. Alex^{r} Middiltoun, his goodbrother, fallis subprincipall. Mr. Robert Reid, moderatour. Mr. Williame Strathauchin ordanit to transport himself.

Thuirsday 22nd October, capitane Kaird, ane fashious drunkin companzeoun, (vtheruaies ane pretty soldiour) killit ane poor mans horss in New Abirdein; for the quhilk he wes wairdit, and thairefter for his miscareage casseirit. Sie folio . Capitane Kaird killis ane horss. He is casseirit.

Ye may sie, folio 189, of the Lord Sinkleris going to Caithnes. He returns bak to Abirdein vpone Thuirsday 22nd October with 500 soldiouris, quhilk he brocht out of that countrie. He quarteris thame in New Abirdein, leaving sum moneyis with commissare Farquhar for there mantenans, and haistellie rydis south, to receave orderis fra the committe of estaitis; bot befoir he cam bak agane his allowanss wes spent, and the soldiouris put to there schiftis. Abirdene wold grant thame no quarteris, since the collonell maister of Forbes regiment wes alreddie quarterit thair; quhairvpone ilk Lord Sinkler cums fra Caithness to Abirdein. His soldiouris quarterit. He rydis south. His soldiouris wantis pay.

Thay rug and reave quhair thay culd get.

soldiour began to deall and do for him self. Sum cam over to the Oldtoun, quhair thay gat nothing bot hunger and cauld; vtheris spredis throw the countrie heir and thair about the toun, speciallie to papistis landis, plundering thair food both horss meit and manis meit quhair thay micht get it, to the gryt greif of the countrie, and to Abirdein also. Sie more heirefter, folio .

The King leavis his army at York.

Now his Majestie leaves his army, consisting of about 16,000 fut and 4000 horss, as wes reportit, at York, and takis journey about this tyme touardis his owne pallace of Westminster, for keiping of the English parliament to the 5th of November, as ye hard befoir grantit, folio .

He gois to the parliament.

The Scottis army lyis still at Newcastell.

The Scottis army still lying at Newcastell, it wes said that Generall Leslie had send out Schir Archibald Douglass, with about 40 men, to go watche the feildis about Newcastell, 12 myllis fra the camp, who raid 10 myll forder by order, and cairleslie lichtit at Burrowbrigis, stablit thair horssis, and sat doun to drink; bot being espyit be the Kingis out watches, thay cam first to the stables and tuke thair horss, syne to the hous and took thame selffis, except onlie four quhilk escaiped; quhairat the Generall wes heichlie offendit for thair miscareage. Aluayes, thay ar keipit prissoneris, and in end wes put at libertie.

Sum Scottis takin, and put to libertie.

The lairdis of Wattertoun, Ochterellon, and sum burgessis of Abirdein, returnis home from waird, efter payment of there fynes.

The lairdis of Watertoun, Ochterellon, with sum vtheris, Thomas Nicolsone, Robert Forbes, *alias* Dobrie, George Jamesoun, burgessis of Abirdein, whome ye hard, folio 201, wes wairdit in Edinbrugh, cums hame about the 4th of November, efter payment of there fynes. Mr. Alex[r] Reid cam hame befoir, bot the rest stood out whill folio 262.

The parliament of England sittis doun. The King grevously crossit.

The parliament of England, vpone the 5th of November, sittis doun at Wastminster, whairby his Majestie wes grevouslie borne doun and crossit, as heirefter do appeir. Sie folio 263.

The lordis of sessioun sitis not doun, yit inferiour judges sittis.

No sessioun sitis doun in Edinbrugh, yit inferior judicatoreis as befoir; the commissare and schiref of Abirdein, and vther places, sitis doun in wonted maner.

Ane Abirdeins fische bott, with 7 persons perishit.

Frydday 6th Nouember, ane Abirdeins fisher boit perishit pitifullie in the sea with sevin men, to the forder visiting of sinfull Abirdein.

Sonday 8th November, Mr. James Willox preichit in Old Abir-

dein. Efter sermon, he red out sum committe actis, forbidding prenteissis to leave thair seruice without order, and setting doun prices vpone ledder; whairvpone schortlie followit ane strict command, chargeing the haill cordineris in both Abirdeins to mak wp single soillit schois to the collonell maister of Forbes soldiouris. No remeid. It wes obeyit, bot litle payment gottin for thair ledder, and none at all for there wark. Sie more heirefter, folio .

Actis aganist prenteissis and cordineris red out of pulpit.

Mononday 16th November, the Lord Gordoun, with sum thrie or four seruandis, cam fra Bervick be sea to Abirdein, landit at the Sandness, and cam to George Middiltouns hous in Old Abirdein, to whome the collonell maister of Forbes, send tuo of his owne officiaris, livetennand crouner Forbes and major M'Kenzie, demanding the Lord Gordoun of newis. He receavit thir soldiouris kyndlie, ansuering, no newis, bot appeirans of peace; and with all schew thame thrie patentis, one fra the King, one fra Generall Leslie, the thrid fra the governour of Bervick, to pas and repas at his plesour. The gentlemen took thair leive, and returnit to thair crouner. The Lord Gordoun, after brakfast, causis hyre horssis and gois to Strathbogie, haueing onlie with him Johne Gordoun of Ardlogie, Patrik Innes, sone to vmquhill Alex^r^ Innes of Cottis, Alex^r^ Gordoun Suankie, and Robert Gordoun. Sie more heirefter, folio 287.

The Lord Gordon cumis be sae, landis, and cam to George Middiltouns houss.

The maister of Forbes sendis, demandis newis.

His ansuer and patentis.

He gois for Strathbogy.

About this tyme ane Abirdeins schip, quhairof Thomas Boyis wes skipper, cuming with there goodis from Holland to Abirdein, is blawin wp by contrarie wyndis wp Forthe; bot, at the estaitis command, scho is schortlie buirdit and manit, who cloissit wp hir durris, alledgeing hir marchandis in begining of thir troubles fled the good caus with thair best goodis, and went over to Holland, quhair thay vtterit vn-reuerend speiches aganes this causs and authoris thairof in Campheer, truelie told thame fra that pairt, and now seing appeirans of peace, thay wold returne hame at there owne handis. Now, the goodis pairtlie belongit to sik men as fled, and pairtlie belongit to vtheris who fled not. Aluaies, both sortis of marchandis are summondit to compeir befoir the committe of estaitis at Edinbrugh, quhairof sum war fynit. The estaitis burrowit vpone band sum moneyis fra thame, quhilk wes punctuallie repayit, and the schip about the fourt of December gat liberty hame in peace. Bot

Thomas Boyis schip of Abirdene, takin be our estaitis.

The reasone why.

The merchandis summondit to compeir. Sum ar fynit.

The estaitis borrouit sum money and repayit.

Paull Englis, and Johne Perslie departis this lyf, at this voage

at this voage, Paull Englis and Johne Perslie, tuo fyne merchandis, depairtit this lyf.

Johne Erll of Rothas, Erll of Dumfermling, Lord Lovdoun, and diuerss vtheris, as memberis of the estaitis, ar send wp to the English parliament.

About this tyme, Johne, Erll of Rothas, Lord Leslie, &c., Charles, Erll of Dumfermling, Johne, Lord Lovdoun, Schir Patrik Hepburne of Wachtoun, Schir Williame Douglas of Caverss, Williame Drummound of Richardtoun, Johne Smyth of Edinbrugh, Mr. Alexr Wedderburne of Dundie, and Hew Kennedy of Air, as memberis of the estaitis of our Scottis parliament; and for the churche, Mr. Alexander Hendersone and Mr. Archibald Johnstoun, wes send wp to the English parliament. Sie more heirefter, folio .

The Laird off Geicht departis this lyf in Edinbrugh.

The laird of Geicht, elder, takin be capitane Betoun, as ye may sie befoir, folio 201, and wardit in the tolbuith of Edinbrugh vpone cautioun, had libertie of frie waird within the toune, and to walk and go at his plesour; bot schortlie thairefter he took seiknes, and vpone the 17th of November he depairtit this lyf in Edinbrugh.

Collonell maister of Forbes rydis south.

Tuysday 17th November, collonell Alexr maister of Forbes, informit that his regiment (who neuer did seruice) wes to be disbandit, rode schortlie south to the estaites, leaveing his soldiouris lying in Abirdein, leiving be advancement of commissare Farquhar vpone the tenthis and tuentiethis. Sie more heirefter, folio 265.

Our Scottis parliament sitis doun, depending fra the last parliament holdin in Junij. It is now adjornit to the 14th of Januar. 1641.

Oure Scottis parliament sat doun by the estaitis at Edinbrugh 19th Nouember, and referris what wes done to the actis of parliament; and contynewit thairfra to the 14th of January, 1641. It sat doun also befoir vpone the 11th of Junij, 1640, in absens of the Kingis commissioner; fra that contynewit to the 19th of November, and so furth.

Ane man cruellie hangit be one Liretennand Sinkler.

He is thairfoir casseirit.

Setterday 20th Nouember, ane of the Lord Sinkleris soldiouris haueing wyf and children, mynding to steill hame, is apprehendit, and but dome or law, betuixt the crossis of Abirdein, is hangit to the death be one livetennand collonell Sinkler, who thairefter wes casseirit for this cruell deid, done when my lord himself wes in Edinbrugh. Sie heirefter, folio 287.

Fast and prayer for oure army.

Sonday 21st Nouember, and Thuirsday thairefter, fasting and prayer vniuersallie throughe all Scotland preceislie keipit for the good succes of the army and peace of the countrie; bot no fast keipit in Old Abirdein, by ressone of the want of our minister.

Ye hard, folio 260, how sum of our Abirdeins burgessis cam hame. George Johnstoun wes fynit in 1000 lib.; George Moresone, Dauid Rikard, and Williame Patrie, ilkane fynit in 1000 merkis; and wes set out of waird of the tolbuith of Edinbrugh to libertie, and about this tyme cam home to Abirdein.

Sum of our burgessis of Abirdein fynit, and put to libertie, and cumis home.

Lufetennand Foddringhame, with about 40 mvskiteires of collonell maister of Forbes regiment, went out of Abirdein, haueing order to go out and plunder sic persones as had not payit thair tenthis and givin wp thair men, chanceit to be at Fyvie drinking at ane ailhous called Lewis, where Johne Gordoun, second sone to Johne Gordoun of Ardlogie, Williame Seytoun, chalmerlane of Fyvie, Johne Seytoun, and sum vtheris hapnit to be also; and vpone sum licht occasioun, Serjand Forsyth in this company wes suddantlie slayne be the said Johne Gordoun by ane schot, and wan his way frielie but revenge amonges the midis of Foddringhames 40 mvskiteires; for the quhilk this luvetennand wes pitifullie disgraceit, as ye may sie heirefter, folio 287.

Liuetennand Foddringhame being at Fyvie, Serjand Forsyth is killit by Johne Gordoun, and gois but revenge.

Foddringhame disgraceit.

Ye hard befoir, how major Monro, at his removing fra Abirdein south with his regiment, wes resting to the touns people, moneyis for there sustentatioun, quhilk now he rememberis, and causis commissare Farquhar pay euerie one according to his compt; bot he haueing store of old victll besyd him, coft for 3 lib. the boll, sellis it out for four pundis agane, quhairby he maid wp his gane at the honest peoples handis by this schift, haueing allowance to haue payit them all in reddy money.

Major Mouro causis commissare Farquhar, pay the toune of Abirdein for susteining of his soldiouris, bot Farquhar maid his commodity.

The committe of estaitis of parliament had ordanit ane hundreth and fyftie thousand goodlynges, at 20s. ilk goodling, to be payit be the haill borrowis of Scotland, according as thay sould be stentit, for payment to the Hollanderis of certane amvnitioun, pulder and ball, quhilk thay send to Scotland the tyme of thir troubles. Amongis the rest, Abirdein wes stentit in 16,000 goodlynges, to be payit be the marchend tradderis allanerlie, vpone suirtie to be repayit bak agane be the estaites. Thus, ilk merchandis tred and estait is tryit and publictlie considderit, within the tolbuith of Abirdein, vpone or about the 24th of November, and being stentit conforme, maid wp 16,000 goodlingis or 16,000 lib.

The burrowis of Scotland stentit for payment to the Hollanderis of moneyis, quhairof Abirdene payis 16,000 lib.

Now, newis cums to Abirdene fra the English parliament, saying,

Tunage and poundage dischargit in the English parliament.

tunage and poundage or schip moneyis, one of the grytest casualiteis dew to the King, wes dischargit; and being at the Kinges dispositioun abefoir, is now reducit monethlie by bill to crave this fra the

Monopole is dischargit.

estaitis, vtheruaies to want. 2. All monopoleis dischargeit.

The wairdit ministeris put to libertie, and restoirit to there kirkis.

3. That the thrie preicheris whose noses had bene slittit, and cast in prissoun for speiking aganist episcopacie, wes put to libertie and restoirit to there owne kirkis.

The cannons of the tour dismounted; Schir Williame Balfour restoirit to be capitane thairof.

4. That the cannonis of the tour then mounted aganes the citie of London wes dismounted, and Schir Williame Balfour, capitane thairof abefoir, who wes dischargeit, is agane restoirit to be capitan of this tour.

Papistis forbidden to cum neir the parliament, to weir armes; and all foraigne papistis to remove wnder the pane of deith.

5. That the haill papistis wes commandit, wnder the pane of tressoun, nocht to cum narer the place of parleament nor 10 myllis; thay sould haue no armes within there houssis, nor cary armes on thair bodeis; and the whole papistis of other nationis sould remove thame selffis out of

Greivances givin wp aganist bischopis.

England wnder the pane of death. 6. That thair wes 1100 subscribantis of English who had givin wp greivances aganes thair

Oure army well allowed by the parliament and bodie of England.

awin bischopes. And lastlie, that our Scottis army wes weill allowit by the lower hous and body of the kingdome. Sie more heirefter. Bot this purpose, whidder true or not I can not say; bot look to his Majesteis declaratioun, or ansuer to the declaratioun, set out and send to him by both parliamentis of Ingland, in whiche (his Majesteis ansuer) is contened more crediblie sum certane actis,

Trienniall parliament, Pressing of soldieris

sic as ane bill past for ane trienniall parliament, for imposing vpone merchandize, (quhilk heir I tak to be tunage and poundage) for pressing of soldieris, for taking away the star chalmer and heighe

Starr chalmer. Heighe commissioun. Regulating of the counsall table. Stanry courtis. Clerk of the market. Bischopis votes.

commissioun courtis, or regulating the counsall table, for forrestis, stannery courtis, clerk of the market, and taking away the voices of bischopes out of the lordis houss. This is seine with some otheris in the Kinges owne speiche. Sie folio .

Capitane Arnot direct out to revenge Forsythis death.

Thuirsday 25th November, capitane Arnot, with ane pairty of mvskiteris, direct doun to Fyvie, to tak or kill him who had slayne Forsyth, sie befoir, folio . Bot the deid doer, Johne Gordoun wes fled. Aluaies, the soldiouris who war scatterit at this slauchter, wes

The scatterit soldioris collectit.

gatherit and brocht in to the toune.

Doctor Goold preichit. Mr. Williame Strathauchin receaved minister.

Sonday 29th November, Doctor Goold preichit both before and afternone heir in Old Abirdein. Mr. Williame Strathauchin, efter foirnones sermon, wes receavit be the parochin, elderis, and deacones

thair convenit, in the deposit Doctor Scrogeis place, whose roume still vaikit fra the tyme of his deprivatioun, sie folios 222, 256, and the kirk evill served be stranger voluntarie ministeris whill this tyme. We had good doctrein from this Mr. Williame Strathauchin ay sensyne. Now Doctor Scrogie duellis still in his own houss whill Witsonday nixt tocum, dureing quhilk tyme he cam veray seldome to heir him; bot went to vther churches Abirdein or Futty vpone the Sonday, and lykit rather to heir any other preicher nor Mr. Williame Strathauchin out of his pulpit, wherefra he wes thus waies removeit, one who had long servit in the ministrie, ane lerned, grave, auncient man, of singular good pairtis, who, following the King, is but his help thus overthrowne; yit rememberit sen syne. Sie heirefter, folio 333.

Good doctren in this kirk.

Doctor Scrogy cumis not to heir him, being so removed.

He is a lerned man, and is borne doun following the King.

Now the said Mr. Williame Strathauchin being receaved, the same veray Sonday efter afternones sermon, the laird of Haddoche perseuit the laird of Cragywar (both being cum fra sermon) anent the bischopes styll with ane rod in his hand, quhilk he quiklie defendit with ane vther rod. Aluyss, thay ar red but blood. But Cragivar apprehending himself to be behind, challengit be cartellis daylie Haddoche, who ansuerit him agane; bot turnit to no doing, bot malice irreconcilablie wes in the breist of Cragywar.

The laird of Haddoch persewis the laird of Cragywar this same Sonday of Mr. Williame Straquhans entry.

Thay ar pairtit, but blood.

Cartellis passing and ansuerit betuixt them.

Ye hard before, folio 255, of the maister of Forbes: Marschall bure him doun befoir the Tables; quhairvpone he rode touardis Generall Leslie, who establishit his regiment, vtheruaies he had bene disbandit, or at leist wes to be disbandit, by the estaites. But in his absens his men wes leiving in Abirdein vpone the tenthis and tuanteithis, and daylie oppressing the Kinges leges, his soldiouris.

Marschall beiris doun the maister of Forbes befoir the tables.

He rydis to Generall Lesly.

His regiment daylie oppressoris.

Aluaies, collonell maister of Forbes returnes hame fra Newcastell to Abirdein vpone the fourt day of December, and agane beginis within his diuisioun to vplift the tenthis and tuanteithis, viz., of the tent chalder ane chalder, and ane mark of [ten] markis of siluer rent, besydis the tuenteith penny.

He returnis to Abirdein, Reestablishit in his place, he begins to vplift the tenthis.

Schir Johne Leslie of Wardess depairtit this lyf in Tullifour vpone the 29th of November, and wes bureit within his awin cheppell at Tullifour, quhair neuer laird of Wardes wes bureit befoir, and himself being the last laird wes first bureit thair.[a] His

The laird of Wardess depairtis this lyf.

[a] One of the charges brought against the bishop of Aberdeen, at the Glasgow assembly of 1638 was, "that at the request of Elizabeth Gordon, Lady Ward-

His lady schortlie mareis with Cluny.

ladie wes also schortlie mareit with the laird of Cluny, as ye may sie heirefter, folio .

Certane actis and instructionis, red out of pulpit.

Sonday 6th December, Mr. Williame Strathauchin, efter foirnones sermon in Old Abirdein, red out certane actis and instructionis set doun be the lordis and vtheris of the committe of parliament at Edinbrugh, of the 11th of November, 1640, quhairin ane strait command is set doun to all the haill committees of warr, noble men, barrrons, collonellis, gentilmen, schirefis, maiestratis of burrowis, elderis, and constabullis in eche parochin, as thay wilbe

Fugitives to be serchit and socht.

ansuerabill to the estaitis of this kingdome, that thay try, serche, seik, tak, and apprehend all fugitiues, horss or foot, and to present thame befoir the committees of warr in ilk divisioun, or schirefis of the schire, or maiestratis of burrowis, quhair the saidis fugitiues sal be apprehendit; and quhilkis committees, schirefis, and maiestratis,

The tent man to be hangit.

salbe oblegit to decimat the saidis fugitiues, and to hang the tent man of thame; and if thair be but one or mo of thame within ten, to causs hang one of the said number, albeit thair be bot one, and

The rest to be send to the estaitis.

to send the rest to the committe of estaitis at Edinbrugh, vpone the expenssis of the publict, to be punished with ane mark of infamy, and to be send bak to there companeis: and who so hapnis,

None to recept any of those fugitives.

efter the publicatioun heirof, to recept, keip, receave, or intertynny any of those fugitiues, horss or foot, and sall not dilate or deliuer thame in maner forsaid, salbe reput enemeis to the good causs, and

The pvnishment of the recepteris.

pvnishit by the said committe of estaites or committees of warr where thay duell, and the half of his moveable goodis *ipso facto* foirfault; the ane half thairof to be imployit to the vse of the publict, and the vther half to be givin to him who dilates the recepteris, and qualefeis the samen: and forder, the saidis persones dilateris to receave reward (by and attour) fra the committe of

Ilk man to returne to his culloris.

estaites. And becaus there is ane gryt number of all sortis of people laitlie cum fra the army, and fra there quarteris and com-

esse, he had consecrated a chapell at Tillyfour after the superstitiouse form and manner." One of the witnesses, Mr. Thomas Mitchell, "declaired that he was present by accident when he did consecrat a chappell, the chappell being richlie hung, and all the rest of it. The lady came in, and gave him a catalogue of the things that are within, which she had wrought with her owne hands, and desyred that they might be dedicat to God, and so delyvered the key to the bishop, who went in and preached a sermon of consecration, and baptised a child, and then went to their feisting. His text was upon Solomon's dedication of the temple." (Gordon's Scots Affairs, vol. ii., pp. 133, 135.)

paneis within this kingdome, (now on foot for defenss thairof) quhairof sindreis hath obtened pass to returne within a short space; thairfoir it is statute, that whosoeuer sall not returne to his culloris within four dayis efter the publicatioun heirof, at the leist immediatlie efter the expireing of there pass, salbe esteimit as fugitiues, and salbe lyable and subiect to the censure and pvnishment forsaid. And if the committe of warr within eche divisioun salbe negligent in conveining and taking ordour with the saidis run awayis, and there recepteris and concealleris, or salbe deficient in putting this act to executioun, eche persone of the said committe of warr salbe vnlawit and fynit by the committe of estaites in the soume of 300 lib. Scottis money for eche failzie, *toties quoties:* and if the minister and elderis salbe deficient in dilateing, and capitanes or constabullis of parochins, or ony vther parochiner, salbe negligent in sercheing, apprehending, and presenting of the saidis fugitiues and maisterles men to the saidis committees of warr, or vther maiestratis forsaidis, or in putting the said act to dew executioun, so far as concernis there pairt thereof, eche one of them who salbe found negligent salbe fynit by the committe of warr within there boundis, or by the said committe of estaites, in the soume of 100 li. money; the ane half thairof sall pertene to the publict, and the vther half to the pairty dilater of the said negligent persones respectiue in maner forsaid; and if it sall cum to the knouledge of any persone who hath or sall happin to out reache soldiouris, horss or foot, that these out reachit by them are disbandit and fled fra there culloris, the said out putteris of thame salbe oblegit to serche, seik, and aprehend the saidis fugitiues throw the haill boundis of the presbitrie quhair the saidis out putteris duelleth, and sall either aprehend thame and put them fra there boundis; or vtheruaies, incace of thair neglect to do there diligence thairin, the saidis out putteris salbe oblegit to mak wp there number be out putting of men in there places, sufficientlie providit in armes and vther necessareis, vpone the saidis out reacheris there owne expenssis. And ordanes these presentis to be published at the marcat crossis of all heid burrowis, and the haill paroche churchis within this kingdome, that none pretend ignorans heirof. This paper is printed at Edinbrugh by James Brysone, in anno 1640, at command.

Run aways, and there recepteris.

Fynis.

Fynes.

Strait actis.

Instructiouns sent by the committee of the estaitis of parliament to the whole schires, committee of warr, and brughis within this kingdome, 16th November, 1640.

1. *First*—Receaue heirwith the actis aganist fugitiues and run awaies and there recepteris, whiche must be proclamed at euerie marcat cross the first marcat day, and in euerie kirk the first Sonday efter the recept thairof; and for this effect there is alss mony actis sent to yow as thair ar paroche churches within your boundis, both to brughe and land; whiche actis yow must send to euerie kirk.
2. *Secondlie*—Thir actis, as also the former actis aganist fugitiues, maisterles men, and those who trauellis without pass, must be put to dew executioun, conforme to the tennour thereof; and all fugitiues must be aprehendit and pvnished conforme to the actis, and the rest send to Edinbrughe within 15 daies after the recept heirof. Like as, strict courss must be taken in evrie place for keiping of all hie wayes and passages, for apprehending of all run-awaies.
3. *Thridlie*—All the clothe and schoois in eche presbitrie and brughe, alreddy providit for the soldiouris in the army, must be sent to Edinbrugh or to the camp, within four dayis efter your recept heirof; and orderis must be givin for making all the schoois, and bying all the cloth that can be had in your boundis, whiche must be prepared and sent to Edinbrugh or to the army with all possibill diligens; and at the deliverie thairof, yow must give order to get commissares tikketis of recept of the samen, for keiping of a richt compt, vtheruaies what yow send and deliuer will not be allowit by the publict.
4. *Fourtlie*—The committees of warr and maiestratis of burrowis must send to the committe of estaites at Edinbrugh ane exact roll of the names of all ante-covenanteris and vtheris, enemeis to the commoun causs, within there boundis; togidder with a rentall of all there landis, tythis, and rentis, and ane inuentar of all there bandis, soumes of money, moueable goodis, cornes, or vtheris pertening to them or to ony bischoprik or bischop within there boundis; togidder also with ane roll of the names of suche as profes to be covenanteris and yit dois not reall deutie, and of the names of all otheris who ar suspected not to be reall freindis to the comoun causs; and all this within 20 dayes efter the recept heirof.
5. The saidis committees of warr, as also all collonellis, nobillmen, gentilmen, maiestratis of burrowis and vtheris, must assist the commissares and collectoris in euerie thing, conforme to the saidis commissares and collectouris there instructions and pouer givin to them in there seuerall offices.
6. All the commissares and collectoris must presently cum to Edinbrugh with there accomptis, and receave new orderis and instructionis, and the committees of warr must require thame for that effect to cum; and if there be any pairt of the countrie quhair there is not commissares and collectoris

establishit, the committees of warr must nominat them and send them to Edinbrugh to get there warrandis, and this within 8 dayes efter there recept heirof.

7. That all the valuationis be cloissed, perfyted, and send to Edinbrugh, (quhair the samen is not done alreddy) and that within 15 dayes efter there recept heirof.

8. That all the tenth and tuenteith penny be presentlie collectit and send to Edinbrugh, (except what is alreddy payit be publict ordour from the committe of estaites or collectouris generall), and the committees of warr ar heirby requirit to assist the same, and this within 20 dayes efter there recept heirof.

9. That the committees of warr and maiestratis of burrowis recommend to all the ministeris within there boundis, to be ernest in exhorting thair people to give in there voluntar contributiouns, whiche must be sent to Edinbrugh with all diligens, for advanceing of the good causs; and that report be maid of there diligens, wnder the hand of eche minister, within ane moneth efter there recept heirof.

10. That the committees of warr and maiestratis of burrowis respectiue do diligens for sending of the haill siluer wark within there boundis to Edinbrugh, conforme to the printed instructionis thairanent; and that thay charge befoir thame everie particular persone who ar thought to haue ony siluer wark, to deliuer the samen, vpone securitie, to the vse of the publict; and suche as compeiris not, or refuses to deliuer what thay haue, to charge thame to compeir befoir the estaites of the committe at Edinbrugh, quhairanent thir presentis salbe ane warrand; and all this must be compleitlie done within ane moneth efter the recept heirof.

11. That the whole people in the kingdome, alss weill to brugh as land, be drivillit and exercised frequentlie, and this is requirit to be done by the collonellis and commanderis of ilk schire; and the comittees of warr tak present tryall within there boundis of these of the first levie, alss well of the fourt man as of the eight man, and of the troupperis at 2000 merkis of rent, that were not put furth to the army according to there proportiouns; and to tak a list of what is restand not put furth, either horss or foot, and to causs presentlie furneish them with armes and otheris necessares, and to tak assureans that thay may be reddy vpone tuo dayes aduertesment, to cum furth with 40 dayis loan, and this without preiudice of thair fynes for not cuming furth in dew tyme. Like as the saidis collonellis and committees of warr ar heirby requirit to send be list and roll of the saidis horss and foot yit restand, not cum furth to the committee of estaites, with there names be whome thay ar dew; and that within a moneth efter there recept heirof.

12. As for the last recrue of the tenth man, and a trouper horss for euerie 6000 merkis of rent, the committes of warr, collonellis, and commanderis ar heirby required to put them all once vpone foot, and to sie thame sufficient-

lie armed, and to tak assureans that thay may be reddy to cum furth vpone aduertesment; and to send the committee of estaites ane roll of the number both of horss and foot whiche may be out-reached, according to the proportioun forsaid, of the saidis recrues furth of eche schire and diuisioun; and this within a moneth efter there recept heirof.

13. All the volunteris who ar reddy and did offer them selfis to cum furth in October last, and all other gentilmen who haue ony abill horssis and who affectis this caus, ar heirby ernestlie desired to be in reddiness vpone the nixt aduertesment. And it is declared, that ane voluntar who pleaseth to cum or send out sall haue ane ansuerabill deductioun of there proportioun of horssis for the recrue, according to ane trouper for eche 6000 merkis rent, providing that befoir thay desert there service they be oblegit to furnesh there dew proportioun of horsses according to there rent.
14. Item, that a perfect roll be sent to the comittee of estaites at Edinbrugh of the names of the whole persones that ar receavit and suorne vpone eche committee of warr, and the name of there clerk in ilk diuisioun; and this within 8 dayes efter there recept heirof.
15. It is heirby declared, that when any of these who are of the ordiner number of the committe of estait sall happin to be abroad in any pairt of the countrie, that thay sall haue place and voice as ane of the ordiner number of the committee of warr in the diuisioun where thay sall happin to be.
16. The committees of estaites, both at Edinbrugh and at the camp, considdering that the instructionis heirtofoir sent to the countrie for the good of the publict haue bene neglectit and altogidder slichtit be the most pairt; and the saidis committees of estait fynding them selffis oblegit (be the trust and charge committit to them) to provide a tymouss remeid for preventing of suche neglect, and securitie in tyme cuming, lest the not remedying thairof endanger both the countrie and causs now in hand: Whairfore, thay do heirby requyre all and euerie one in there seuerall places and degrees, to whome the obeying of thir instructionis ar incumbent, that they exactlie fulfill and obey the aboue writtin instructionis in everie point thairof, and mak spedy report of there diligens thairanent, within the tymes prescrived; vtheruaies these presentis do certify euery one who salbe deficient heirintill, that the nixt instructiouns salbe militarie executioun of poinding be horss trouperis or foot companeis, aganist those who salbe negligent, with libertie of frie quarteris vpone the delinquentis, ay and whill thay do there deutie, and speciallie aganist the committees of warr to whome the executing of publict orderis ar principallie incumbent, and whose bigone neglect in there places hath occasioned all the slighting of the publict orderis throw the countrie. Finis.

Paperis aboue writtin red out of pulpitis.

Thir paperis wes red out by the said Mr. Williame Strathauchin for our paroche of Sanct Maucher, and wes also red throw all the

rest of the parochis and marcat crossis of the kingdome, quhilk bred gryte feir in the hairtis of many, wondering at sic peices published but auchtoritie of the King. Bot no remeid. All gave obediens; for why, there wes none durst say aganes thir proceedinges.

Many is wnder feir and wondring.
Obedience perforss.

Ye hard before, how Abirdene had furneshit there pairt of schoois and cloath, sie folio ; bot thair siluer wark escaipit, and wes not takin wp, as wes done both in Edinbrugh and Dundie. Mr. Williame Strathauchin collectit out of the Oldtoun and Spittell boundis about fourtie poundis of contributioun, conforme to thir instructionis. There wes nather man nor wyf, maister nor seruand, student nor scoller, pure nor ritche, bot he serchit for this contributioun; and who voluntarie wold not give, or refuisit to give, there names wes nottit.

No siluer wark takin out of Abirdein.

Fourty poundis collectit in Old Abirdein.
None spairit.

No doubt but Abirdene payit also of voluntar contributioun the soume of , and nather brughe nor land escaipit; quhairby honest menis meins, yea pure ones pvrssis, wes daylie pykit be one slicht or vther, but warrand fra the King, for mantenans of this good causs, albeit the army leivit vpone England sufficientlie besydes, as heirefter ye may sie, folio .

A voluntar contributioun.

Pvrssis pykit for the good causs.

Vpone Mononday 14th December, ane committee holdin at Abirdein, quhair orderis wes givin out for furneshing of victuall out of the schirefdome of Abirdein, to be send to Newcastell for susteining of the army, of competent price, vpone band for payment. It wes said, that thair wes send out of the schirefdomis of Abirdene and Banff 12,000 bollis victuall.

A committe holdin at Abirdein.
Orderis for victuall to be send to Newcastell.

12,000 bollis send out of the schires of Abirdein and Banf.

It wes said about this tyme, that the deputtie of Ireland wes committit, and thairefter wairdit in the Tour of London; and that the archibischop of Canterbury wes first committit to the blak rod, thairefter to the Tour foirsaid. Like as our Scottis commissioneris, vpone the 16th of December, set out tuo paperis in print, quhairof the tennour followis:—

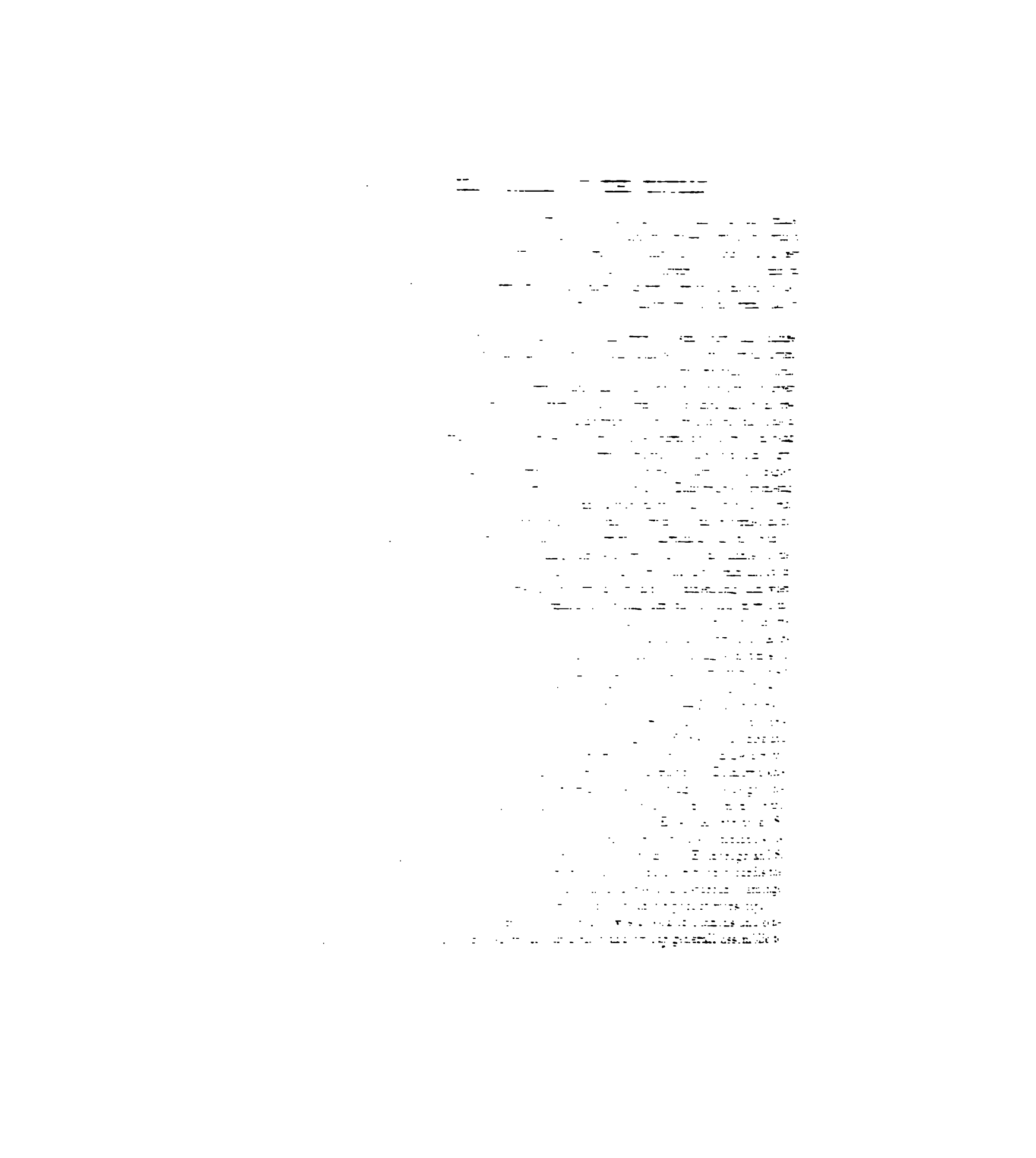
The deputty of Ireland, committed.
The archibischop of Canterbury committed.

Tuo paperis set out by our commissioneris aganis Canterbury, and liuetennand of Ireland.

The charge of the Scottishe commissioneris aganist Canterburie and the livetennant of Ireland, &c., with sum vther demand, &c.—Printed Anno Domini, 1641.

The charge of the Scottish commissioneris aganist the prelat of Canterbury.

Novatiouns in religioun, whiche ar vniuersallie acknoulegit to be the mane causs of commotiouns in kingdomes and states, and ar knowne to be the true caus of our



be devysed for establishing of a tyrranicall pouer, in the persones of our prelatis, over the worschip of God, over the consciences, liberteis, and goodis of the people; and for abolishing the whole disciplyne and government of our kirk, by generall and provinciall assembleis, presbitreis, and kirk sessionis, whiche wes setled by law, and in continuall practeiss since the tyme of reformatioun: That Canterbury wes maister of this wark is manifest,

By a book of cannons sent to him, writtin vpone the one syde only, with the other syde blank for corrections, additionis, and putting all in better order at his plesour; whiche accordinglie wes done, as may appear by interlyninges, marginallis, and filling wp of the blank page with directionis sent to oure prelattis; and that it wes done by no other then Canterbury, is evident by his magisteriall way of prescribing, and by a new coppie of these cannonis, all writtin with Sanct Androis owne hand, preceisly to a letter, according to the former castigationis sent bak for procureing the Kingis warrant vnto it, whiche accordinglie wes obtaned; but with ane additioun of sum vther cannons, and a paper of sum other corrections: According to whiche, the book of cannons thus composed wes published in print, the inspectioun of the bookis, instructionis, and his letteris of joy for the succes of the work, and of otheris letteris of the prelat of London and the Lord Sterling to the same purpos; all whiche we ar reddy to exhibit, will put the mater out of all debate.

Besides this generall, there be some thingis more speciall worthie to be adverted vnto, for discovering his spirit. 1. The 4th cannon of cap. 8. *For as much as no reformatioun in doctrein or disciplyne can be maid perfect at once in any churche; therefore, it sall and may be lauchfull for the churche of Scotland, at any time, to mak remonstrans to his Majestie or his successouris, &c.* Becaus this cannon holdeth the durr open to more innovationis, he writeth to the prelat of Ross, his privie agent in all this work, of his great gladnes that this cannon did *stand behind the curtane*, and his great desire that this cannon *may be printed fullie, as one that was to be most vsefull.* Secondlie—The title prefixed to these cannons by our prelatis, *Cannons agreed vpone to be proponed to the seuerall Synods of the kirk of Scotland*, is thus changed by Canterbury: *Cannonis and constitutionis ecclesiasticall, &c., ordaned to be observed by the clergie.* He will not haue cannonis to cum fra the auchtoretie of synodis, but from the power of prelatis, or from the Kingis prerogatiue. Thridlie—The formidabill cannon, cap. 1. 3., threatning no less then excomvnicatioun aganes all suche persones whosoeuer sall oppin thair mouthis aganist any of these bookis, proceedit not from our prelatis, nor is to be found in the coppie sent from them, but is a thunderbolt forged in Canterburyis owne fyre. 4. Our prelates in diuerss places witness there dislyk of papistis. A minister salbe deposed if he be found negligent to convert papistis, cap. 18. 15. The adoratioun of the bread is a superstition to be condempned, cap. 6. 6. Thay call the absolut necessitie of baptisme ane error of poperie, cap. 6. 2. But in Canterburyis editioun, the name of papistis and poperie is not so muche as mentiound. 5. Oure prelatis haue not the boldnes to trouble ws in there cannons with altaris, fonts, chancells, reiding of a long liturgie befoir sermon, &c.; but Canterbury is punctuall and peremptorie in all these. 6. Althogh the wordis of the tenth cannon, cap. 3., be fair, yit the wicked intentionis of Canterbury

and Lords may be seen in the proces of ratification of a synnod befoir God, by comparing the common as it cam from our prelatis and as it was returned from Canterbure and printed. Our prelatis say thus: *It is manifest that the superstition of certane wes hurtfull and a great prejudice, and that people are greatlie cold in the knawledge of trew religion, thairby; and for to remeid the same, that thair sould be na place to good warkis, bot that all or almaist all sould be ministeris, as thair text giveth occasioun, quhair the necessitie of good warkis as thay sould be usit, and remember that thair is na merit, be reassone of the imperfectioun of humane nature, though not cause regnandi, howbeit thay sould be of the cause of regnandum.* Heir Knox groundis his judgement, that he wold have the common simplie commanding good warkis to be preichit to the people, and no mentioun made quhat place thay haue or haue not in justificatioun. Vpone this mutilatit or apocryphe is Canterburies mynd the common is set doun as it standeth, without the discretioun of non cogn. or causa regnandi, or any word sounding that way importing only the necessitie of good warkis. 7. By comparing cam 9. cap 18., as it was sent in writting from our prelatis and as it is printed at Canterbureis commandment may be also manifest, that he went about to establish auricular confessioun, and priuat absolutioun. 8. Our prelatis were not acquainted with canonis for inflicting of arbitrarie penalties: but in Canterburyes book, wheresoeuer there is no penaltie expressit set doune, it is prouided that it sulbe arbitrary, as the ordinary will think fittest. By these, and many other the like, it is apparent what tirranicall power he went about to establish in the handis of our prelatis, over the worschip and the soulis and goodis of men, ouer-turning from the foundatioun the haill order of our kirk, what seedis of popery he did sowe in our kirk, and how large ane entrie he did mak for the grossest superstitions efterward, whiche hath bene a mayn cause of all thir confusiones.

The third and great innouation was the booke of common prayer, administratioun of the sacramentis, and other partis of divyne service, brocht in, without warrand from our kirk, to be vniuersallie receaved as the only forme of divyne service, vnder all heich paines both civill and ecclesiasticall: whiche is found by oure nationall assemblie, beside the popish frame and formes of divyn worschip, to contane many popish errors and ceremonies, and the seedis of manifold and gross superstitionis and errors, and to be repugnant to the doctrein, disciplyne, and order of our reformatioun, to the Confessioun of faith, constitutionis of generall assembleis, and actis of parliament establishing the true religioun: That this also wes Canterburyis work we mak manifest.

By the memoirs and instructions sent vnto him from our prelatis, wherein thay gave a special accompt of the diligens thay had vsit to do all whiche heirin thay war enjoyned, by the approbation of the service book sent to them, and of all the marginall correctionis wherein it varieth from the English book, showing there desire to have sum few thinges changed in it, whiche notwithstanding wes not granted: This we fynd writtin by Sanct Androis owne hand, and subscribit by him and nine other of our prelatis. By Canterbureis owne letteris, witnesses of his ioy when the book wes reddy for the press, of his prayeris that God wold speed the work, of his hope to sie that service set wp in Scotland, of his diligens to send for the printer, and

directing him to prepare a blak letter and to send it to his servantis at Edinbrugh for printing this bookis, of his approbatioun of the prooffis send from the press, of his fear of delay in bringing the work spedilie to ane end, for the great good (not of that churche, but) [of] the churche, of his encourageing Ross, who wes entrusted with the press, to go on in this peice of seruice without feir of ony enemeis. All whiche may be sene in the autographs, and by letteris sent from the prelate of London to Ross, wherein as he rejoyseth at the sight of the Scottish cannons, whiche, although it sould mak sum noyss at the begining, yit they wold be more for the good of the kirk then the cannonis of Edinbrugh for the good of the kingdome. So concerning the leturgie, hee sheweth that Ross had sent to him to haue ane explanatioun from Canterburie of some passage of the service book, and that the press behoved to stand quhill the explanatioun cam to Edinbrugh, whiche, therefore, he had in haist obtaned from his grace, and sent the dispatch away by Canterbureis owne conveiance.

But the book it self, as it standeth interlyned, margined, and patched wp, is muche more then all that is expressed in his letteris; and the changes and supplementis them selves, taken from the masse book and vther Romish rituallis, by whiche he maketh it to vary from the book of England, are more pregnant testimoneis of his popish spirit and wicked intentionis, whiche he wold haue put in execution vpone ws, then can be denyed. The lairge declaratioun professeth, that all the variatioun of our book from the book of England, that euer the King wnderstood, wes in suche thinges as the Scottish humouris wold better comply with, then with that whiche stood in the English service. These popish innovationis, therefore, haue bene surrepetitiouslie inserted by him, without the Kingis knoulege, and aganist his purpose. Oure Scottish prelatis do petitioun that some thinges may be abated of the English ceremoneis, as the cross in baptisme, thee ring in mareage, and some other thingis. But Canterburie will not only haue these thingis kept, but a great many more and worse superadded, whiche wes nothing elss, but the adding of fewall to the fyre. To express and discover all, wold require a whole book, we sall onlie touche sum few in the mater of the communioun.

This book inverteth the order of the comunioun in the book of England, as may be sein by the numberis setting down the orderis of this new comunioun, 1, 5, 2, 6, 7, 3, 4, 8, 9, 10, 15. Of the diuerss secret ressones of this change, we mentioun one only, In ioyning the spirituall praiss and thankesgiving, which is in the book of England pertinentlie after the communioun, with the prayer of consecratioun before the communioun, and that wnder the name of memoriall or oblatioun, for no other end, but that the memoriall and sacrifice of praiss, mentioned in it, may be wnderstood according to the popish meaning, Bellar. de Missa., lib. 2, cap. 21, not of the spirituall sacrifice, but of the oblatioun of the body of the Lord.

It seimeth to be no great mater, that without warrand of the book of England, the presbiter going from the north end of the table, sall stand dureing the tyme of consecratioun at suche a parte of the table, where he may with more eass and decency vse both handis; yit being tryed, it importeth muche, as that he must stand with his hynder pairtes to the people, representing (saith Durand) that whiche the Lord said

[illegible]

[illegible] of the mass. [illegible] *of feeding* [illegible] *Christ dealt for* [illegible] of the communioun, [illegible] taught by his secre- [illegible] that Christ is received in [illegible] *corpus Christi est obiectum* [illegible]

[illegible] of ony vnbloodie [illegible] of the elementis, [illegible] of England anno. nor in King Eduardis [illegible] of Christ, whiche Bellarmyne [illegible]. This also agrieth [illegible] ready, when it sall be judged convenient, [illegible] mair matters of this kynd, as groundis laid [illegible] mass, the verie masse without the people, of communicating in ane kynd, of the consumptioun by the preist, and consumatioun of the sacrifice, of receaving the sacrament in the mouth, and not in the hand, &c.

Oure supplicationis were many aganist these bookis, but Cant: procured them to be ansuerit with terribill proclamationis. We were constraned to vse the remedy of protestatioun; but for our protestationis, and other lauchfull meanis, whiche we vsed for our delyverans, Cant: procured ws to be declared rebellis and traittouris in all the paroche kirkis of England. When we were seiking to posses our religioun in peace aganist the devyses and novations, Canterbury kindled warr aganist ws. In all these it is knowne, that he wes, although not the sole, yit the principall agent and advyser.

When by the pacificatioun at Bervick, bothe kingdomes looked for peace and quyetnes, he spaired not, openly in the heiring of many, often befoir the King, and priuatlie at the counsall table and the privie jointo, to speik of ws as rebellis and traittouris, and to speik aganist the pacificatioun as dishonorable, and meit to be broken. Nether did his malignancie and bitterness euer suffer him to rest, till a new warre was entered vpon, and all thinges prepared for our distructioun.

By him wes it, that our covenant, approvin by nationall assembleis, subscribed by his Majesteis commissioner, and by the lordis of his Majesteis counsall, and by them commanded to be subscrived by all the subiectis of the kingdome, as a testimony of our deutie to God and the King, by him wes it still called vngodlie, damnable, tressonabill. By him were oathis invented, and pressed vpone diuerss of oure poore countrie men, vpone the pane of imprissonment, and many misereis whiche were vnwarrantabill be law, contrary there nationall oathe.

When our commissioneris did appear to render the ressonis of our demandis, he spared not, in the presens of the King and committee, to raill aganist our nationall assembly, as not daring to appeir befoir the world and kirkis abroad, where him self and his actionis were able to endure tryell, and aganist oure just and necessary defens, as the most malitious and tressonabill contempt of monarchicall government that any bygone age had haird of. His hand also wes at the warrant for the restraint and imprissonment of our commissioneris sent from the parliament, warranted by the King, and seiking the peace of the kingdomes.

When we had, by oure Declaratiouns, Remonstrances, and representationis, manifested the truthe of oure intentiouns and lauchfulness of oure actionis to all the good subiectis of the kingdome of England, when the late parliament culd not be moved to assist or enter in warre aganist ws mantaneing our religioun and liberteis, Canterbury did not onlie advyss the braking wp of that heighe and honorable court, to the great greif and haserd of the kingdome, but (whiche is without example) did sit still in the convocatioun and mak cannonis and constitutionis aganist ws and our just and necessary defens, ordaning wnder all highest panes, that heirefter the clergie sall preache, four tymes in the year, suche doctrein as is contrary not onlie to our proceidingis, but to the doctrein and proceidingis of other reformed kirkis, to the judgement of all sound divynes and pollitiques, and tending to the vtter slaverie and ruining of all estaites and kingdomes, and to the dishonor of kingis and monarchis. And as if this had not bene sufficient, he procured six subsideis to be lifted of the clergie, wnder pane of deprivatioun to all that sould refuse. And whiche is yit worss, and aboue whiche malice it self can not asend, by his meanis a praier is

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the tyme of reformatioun; ane euill therefore, which haue issued, not so muche from the personall dispositioun of the prelatis themselffis, as from the innate qualitie and nature of the office and prelaticall hierarchy, whiche did bring forth the Pope in auncient tymes, and never ceaseth till it bring forth popish doctrein and worschip where it is ons rooted, and the principallis thereof fomented and constantlie followed, and from that antipathie and inconsistency of the tuo formes of ecclesiasticall government whiche thay conceived, and not without caus, that one iland, vnited also vnder one head and monarche, wes not able to bear; the one being the same in all the pairtes and poueris, whiche it wes in the tyme of popery, and now is in the Romane churche; the other being the forme of goverment received, mantened, and practised by all the reformed kirkis, wherein, by there owne testimonies and confessionis, the kirk of Scotland had amongst thame no small eminency. This also we represent to your lordschippis most serious consideratioun, that not only the firebrandis may be removed; but that the fyre may be provided aganes, that there be no more combustioun after this. Finis.

With this paper, kynt togidder in ane volum, followit ane vther printed peice, tending thus:—

The Charge of the Scottish Commissioners aganist the Liuetennand of Ireland.

In oure Declarationis, we haue joyned with Canterbury the lord liuetennant of Ireland, whose malice hath set all his wit and pouer on worke, to devise and do mischeif aganes our kirk and countrie.

No other caus of his malice can we conceive, but 1, his pride and supercileous disdayne of the kirk of Scotland, whiche, in his opinioun, declared by his speiches, hath not in it almost any thing of a kirk, althogh the reformed kirkis, and many worthy divynes of England, haue givin ample testimony to the reformatioun of the kirk of Scotland. Secondlie—Our owne oppositioun aganist the dangerous innovatioun of religioun, intended and very far promoved in all his Majesteis dominionis; of whiche he hath schewed him self, in his owne way, no less zealous then Canterbury him self, as may appeir by his advanceing of his chaplane, D. Bramble, not only to the bischoprik of Derry, bot also to be vicar generall of Ireland, a man prompted for exalting of Canterburian popery and Arminianisme, that thus him self micht haue the pouer of bothe suordis aganist all that sould mantane the reformatioun; by his bringing of Doctor Chappell, a man of the same spirit, to the vniuersity of Dublyne, for poisoning the fountanes and corrupting the seminareis of the kirk. And thridly, when the primate of Ireland did presse a new ratificatioun of the articles of that kirk in parliament, for barring suche novationis in religion, he boldly manassed him with the burning, by the hand of the hangman, of that confessioun, althogh confirmed in former parliamentis.

When he found that the reformatioun begun in Scotland did stand in his way, he left no meanis vn-essayed to rub disgrace vpone ws and our causs. The peeces

printed at Dublin, *Examen coniurationis Scoticanæ*, The vn girding of the Scottish armour, The pamphlet beiring the counterfut name of *Lysimachus Nicanor;* all thrie so full of calumneis, slanderis, and scurriliteis aganist our countrey and reformatioun, that the Jesuits, in there greatest spyte, could not haue said more; yet not onlie the authoris were countenanced and rewarded by him, but the bookis must bear his name, as the great patron bothe of the work and workman.

When the nationall oath and covenant, warranted by our generall assembleis, wes approved by Parliament, in the articles subscribit in the Kingis name by his Majesteis heigh commissioner, and by the lordis of privie counsall, and commanded to be suorne by his Majesteis subiectis of all rankis, and particular and plenary informatioun wes givin vnto the liuetennand, by men of suche qualitie as he ought to haue beleved, of the loyaltie of our hairtis to the King, of the lauchfulnes of oure proceedingis, and innocency of our covenant and whole course, that he could haue no excuse; yit his disperat malice maid him to bend his craft and crueltie, his fraud and forces, aganist ws. For first, he did call wp to Dublin craftelly some of our country men, both of nobilitie and gentry living in Ireland, schewing them, that the King wold conceive and accompt them as conspireris with the Scottis in there rebellious courses, except some remedie were provided; and for remedy, suggesting his owne wickit inventioun, to present vnto him and to his counsall a petitioun, whiche he caused to be framed by the bischope of Raphoe, and wes sene and corrected by him self, wherein thay petitioned to haue ane oathe givin them, conteining a formall renunceatioune of the Scottishe covenant, and a deep assureans neuer so mnche as to protest aganist any of his Majesteis commandementis whatsoeuer.

No sooner wes this oathe thus craftelly contryveit, but with all haist it is sent to suche places of the kingdome where our countrey men had residens; and men, women, and all other persones, aboue the yeires of sixtene, constraned either presentlie to tak the oath, and thereby renunce there nationall covenant as seditious and traitterous, or with violens and crueltie to be hailled to the jayel, fyned aboue the value of there estaites, and to be kept close prissoneris; and so far as we know, some ar yit kept in prisson, both men and women of goode qualetie, for not renuncing that oathe, whiche thay had taken fourtie yearis since in obediens to the King who then lived. A crueltie ensued whiche may paralell the persecutionis of the most vnchristean tyms: for weak women, dragged to the benche to tak the oathe, died in the place, both mother and chyld; hundrethis driven to hyde them selffis, till in the darknes of the night thay might escape by sea to Scotland, whither thousandis of them did flie, being forced to leave cornes, cattells, houssis, and all thay possessed, to be a pray to there persecuting enemeis, the livetennantis officiares. And some indicted and declared guiltie of high treasson, for no other guiltines but for subscriveing our nationall oathe, whiche wes not onlie impietie and iniustice in itself, and ane vther vndoing of his Majesteis subiectis, but wes a waikning of the Scottis plantatioun, to the preiudice of that kingdome and his Majesteis seruice, and wes a highe scandall aganes the Kingis honor, and intollerable abuse of his Majesteis trust and authoritie; his Majesteis commissioun, whiche wes procured by the livetennand, beiring no other penalitie then a certificatioun of notting the names of the refuseris of the oathe.

But this his restles rage and insatiabill cruelty aganist oure religioun and countrey can not be kept within the boundis of Ireland. By his meanis a parliament is called; and althogh by the six subsidees granted in parliament not long before, and by the base meanis whiche himself and his officiaris did vse, as is contaned in a late remonstrans, that land wes extremely impoverished; yit by his speiches, full of oathis and asseuerationis, that we were traittouris and rebellis, casting af all monarchicall government, &c., he extorted from them four new subsidees, and *indicta causa* before we were hard, procured that a warr wes vndertaken, and forces sould be leavied aganist ws as a rebellious nation, whiche wes also intendit to be ane example and precedent to the parliament of England, for granting subsidees, and sending a joint army for our vtter rwin. According to his appointment in parliament, the army wes gathered and broght doun to the coast, threatning a daylie invasioun of our countreyis, intending to mak ws a conquered province, and to distroy our religion, liberteis, and lawis, and thereby laying vpone ws a necessitie of waist charges to keip forces on foot on the wast cost to wait vpon his cuming. And as the warr wes denounced, and forces levied before we were heard, so before the denuncing of the warr, oure schippis and goodis on the Irish cost were taken, and the owneris cast in prisson, and some of them in irons; frigatis wes sent furth to scourss our costs, whiche did tak some, and burne otheris of our barkis.

Haveing thus vnited the kingdome of Ireland, and put his forces in order aganist ws, with all haist he cometh to England. In his pairting, at the giveing wp of the suord, he oppenlie avowed our vtter ruine and desolatioun, in these or the like wordis. *If I returne to that honorable suord, I sall leave of the Scottis neither root nor branche.*

How sone he cometh to court, as before he had done very euill offices aganist our commissioneris, clearing our proceidings befoir the poynt; so now he vseth all meanis to stir wp the King and parleament aganist ws, and to move tham to a present warr, according to the precedent and example of his owne making in the parliament of Ireland. And fynding that his hopes failled him, and his designes succeidit not that way, in his nimbleness he taketh another courss, that the parliament of England might be broken wp; and dispysing there wisdome and auchtoretie, not onlie with great gladnes accepteth, but vseth all meanis that the conduct of the army, in the expeditioun aganist Scotland, may be put vpone him; whiche accordinglie he obtaneth as generall capitane, with pouer to invade, kill, slay, and save, at his discretioun, and to mak any one or moe deputeis in his stead to do and execute all the power and auchtoritees committed to him.

According to the lairgenes of his commissioun and letteris patentis of his devysing, so were his deportmentis afteruardis; for when the Scottis, according to there Declarationis sent befoir them, were cuming in a peciable way, far from any intentioun to invade ony of his Majesteis subiectis, and still to supplicate his Majestie for a setled peace, he gave order with his officiares to fight with them on the way, that the tuo nationis ons entered in blood, whatsouer sould be the success, he might escape tryell and censure, and his bloody designes micht be put in executioun aganist his Majesteis subiectis of bothe kingdomes.

When the Kingis Majestie wes agane enclyned to harken to our petitionis and to compose our differences in a peceable way, and the peeris of England convenit at York, had, as befoir, in thair great wisdome and faithfulnes, givin vnto his Majesteis counsallis of peace; yit this fyrebrand still smoaketh, and in that honorable assembly, taketh vpone him to breath out threatningis aganist ws [as] traittouris and enemeis to monarchicall governament, that we may be sent home agane in our blood, and he will whip ws out of England.

And as these were his speechis in the tyme of the treatty, appointit by his Majestie at Rippon, that if it had bene possibill, it might haue bene brokin wp; so when a cessatioun of armes wes happellie agreed vpone there, yit he ceaseth not, but still his practises were for warr. His wnder officiares can tell who it wes that gave them commissioun to draw neir in armes beyond the Teese in the tyme of the treatty at Rippon. The governour of Bervick and Carleill can schew, from whom thay had there warrantis for there actis of hostilitie, after the cessatioun wes concluded. It may be tryed how it cometh to pass, that the ports of Ireland ar yet closed, oure countrie men for the oath still kept in prissoun, traffique interrupted, and no other face of effaires then if no cessatioun had bene agreed vpone.

We, therefore, desire that your lordschippis will represent to the parliament, that this great incendiare, vpone these and the like offences, not aganes particular persones, but aganist kingdomes and nationes, may be put to a tryall, and from there knowne and renowned justice, may haue his deserved pvnishment. Finis.

Daitit 16th Decem., 1640.

Thir paperis, thus set forth and imprintit, appeires to be direct be our Scottish commissioneris to the lordis of the lower hous, or houss of commonis, who acceptit and actit there pairt to the full desire of oure commissioneris, as heirefter do appeir: for first, the bischop of Canterbury is laid by fra the King, and committit, and the livetennand of Ireland is removit, laid by, and committed, as ye hard before; sua aganes the Kingis mynd he is maid quyte of both fra this paperis cam furthe. Sie more heirefter, folio 307, folio 314, where his heid wes stricken of.

The bischop of Canterbury committed.

The livetenant of Ireland committit.

Ane of the Lord Sinckleris soldiouris schot deid at ane staik.

Vpone the 19th of December, ane of the Lord Sinkleris soldiouris, be command of the committe of estaites at Edinbrugh, wes had to the heiding hill, knyt to ane staik, and thrie soldiouris apoyntit, ilkane efter vther, to schute thrie deid schottis at him whill he wes schot deid, and that for the slauchter of ane vther fellow soldiour in the same regiment, in Abirdein, laitlie befoir committit be him. This example maid better ordour to be keipit amongis them in the toun.

Sonday 20th December, thundring out of Abirdeins pulpites aganes Yoollday, chargeing merchandis and craftis men, wnder the pane of pvnishment, to keip there boothis, by, sell, and labour as on ane work day, all and everie one, husbandman or vtheris. The booth duris stood, for feir, wyde opin; bot there was litle merchandice coft, far less wark wrocht. The gramariaris not theles had 20 dayis play, and the colliginaris 8 dayis play, in Old Abirdein, conforme to the old order obseruit at Yooll.

Thundring out of pulpitis aganis Yool day.

The gramariaris and colliginaris keipis vse and wont.

About this tyme, the Lord Sinckler returnit from Edinbrugh bak to his regiment in Abirdein.

The lord Sinkler returnis to Abirdein.

Yoollday 25th December, no preiching in either of the Abirdenes, as wes wont, and alss littill wark wrocht. It wes said, Doctor Goold wold not keip Yooll day, falling this yeir on ane Frydday; bot on Yooll evin he had good cheir, where the Lord Sinckler, the collonell maister of Forbes, the provest and balleis, with sum vtheres, wes weill feistit, and all maid mirry that nicht, and no memorie on the morne Yooll day. Bot vpone the 26th of December, he vnhappellie going throw Abirdein collecting the voluntar contributioun, as ye hard befoir, folio , wrestit his cute or leg, quhairby he micht not stand to preiche; bot in pulpit wes found ane paper declairing Doctor Gooldis hipocrisie for feisting vpon Yooll evin and not vpone Yooll day, quhairat he wes grevouslie offendit, yit past it over, becaus he could haue no man to challenge for it.

No preiching on Yooll day.

Doctor Goold maid good cheir on Yooll evin.

He wrestit his leg, he micht not preiche.

A paper found in the pulpit aganes him.

Wednisday 30th December, collonell maister of Forbes send out to the intaking of the place of Geicht ane capiten with 32 soldiouris. The hous is randerit be the lady, becaus none laird wes there. Aluaies scho cam in and delt so with the collonell, that thay were all removit and cam bak agane to Abirdene.

The place of Geicht randerit.

The Lady getis it bak agane.

About this tyme Alex^{r} Annand of Catterlyn is removit out of Drum, and ane vther capiten called Grahame put in his place, quhair the lady wes weill contentit; sie befoir, folio , and who remanit there quhill about the 9th of Februar, as ye may sie, folio 288.

Ane capitane removit out of Drum, and ane vther put in his place.

About this tyme also, returnit hame from Londoun who had fled the countrie to the King for succour, as ye may sie befoir, ar forsed to cum hame, viz., the lairdis of Petfoddellis elder and younger, the lairdis of Wdny, Mvresk, Fetterneir, and sindrie vtheris, efter thay had spent there means, and forsit to submit thame selffis to the

The Lairdis of Petfoddellis, Wdny, Mvresk, Fetterneir, returnis home.

Thay ar forsit to yeild, subscrive, and sueir the covenant.

Thay ar wardit and fynit, syne put to libertie.

judgement of the committe of estaites at Edinbrugh, who fynit everie one of thame at there owne willis for thair out standing, compellit them to sueir and subscrive the covenant, syne gave thame libertie to cum hame to there owne houssis, more foolis nor thay went out, but succour or releif of the King. Sie befoir, folio 259, and heirefter also, folio 288. Bot thay war all soundlie wardit and keipit long in waird in Edinbrugh and tolbuith thairof, thairefter fynit and set to libertie as said is, folio 288.

Ane band reveillit by the Lord Boyd on his deid bed, vpon sum miscontent maid wp.

It wes reportit about this tyme, that the Lord Boyd, vpone his deid bed, reveillit ane band maid wp by diuerss lordis, whereof himself wes one, foundit vpon sum miscontentment, not aganist the covenant, but aganes the Erllis of Argyll, Rothass, the Lordis Lyndsay, Lovdoun, Balmyrrinoche, Couper, and sum otheris, who tuke vpone thame to reull and gyd all, and to oversie as worthie nobles as thame selffis in the publict bussines. Schortlie efter this revelatioun the Lord Boyd deceisis. This band wes maid wp and subscrivit be the Erllis of Montross, Marschall, Mar, Stratherne, Southesk, Seafort, Wigtoun, Perth, Lord Neper, Lord Amound, and some vtheris, as wes said. The committe of estaites thocht havie of this. Thay ar accusit, thay confes and produces the band, quhilk is brynt in the fyre. Montross producit the band. Sie more, folio .

The makeris of this band.

Montross produces this band.
It is brynt.

Mononday, 28th December, Mr Gilbert Ross minister at Elgyne, accompaneit with the young laird Innes, the laird Broddy, and sum vtheris, and but auchtoritie brak doun the tymber partitioun wall divyding the kirk of Elgin fra the queir, quhilk had stand sen the reformatioun, nar sevin scoir yeires or aboue. On the wast syde wes painted in excellent cullouris, illuminat with starris of bright gold, the crucefixing of our blessed Saueour Jesus Christ. This peice wes so excellentlie done, that the cullouris nor starris never faidit nor evanishit, bot keipit haill and sound, as thay were at the begining, notwithstanding this colledge or channonrie kirk wantit the rooff sen the reformatioun, and no haill wyndo thairintill to saif the same from storme, snaw, sleit, or weit, quhilk myself saw, and mervallous to considder. On the vther syde of this wall, touardis the eist, wes drawin the day of judgement. Aluayes all is throwne doun to the ground. It wes said, this minister causit bring

The partitioun tymber wall of the college kirk of Elgin dung doun.

A excellent peice, inhabit long tyme

hame to his hous the tymber thairof, and burne for serving his keching and vther vses; bot ilk nicht the fyre went out that it wes brunt, and could not be haldin in to kyndle the morning fyre, as vse is; whairat the servandis and vtheris mervallit, and thairvpone the minister left of and forboor to bring in or burne ony more of that tymber in his hous. This wes markit, spred throw Elgyne, and crediblie reportit to myself. Sie when he wes transportit thair, folio 257. A boldness, but warrand of the King, to distroy churches; yit is done at command of the assemblie, as wes said.

The minister burnis the tymber. The fyre gois out on the nicht.

He forbearis to byrn ony moir.

He deceissis also, folio .

A boldness without auchtoritie to demolish kirkis.

The foirsaid Mononday, proclamation maid at the cross of Abirdene, chargeing and commanding both Newtoun and Oldtoun to furneish out to Generall Lesleis army, and to ilk soldiour thairof, ane stand of gray clothis, tua sarkis, tua pair of schois, wnder the pane of plundering. Serche wes maid, bot found thay war not abill to do the samen, inrespect of provisioun maid be thame abefoir to sum of the same soldiouris, as ye may sie befoir, folio 256. Quhairvpone order wes givin out to serche the countrie for gray hydis, and gray claith, and sarking cloth, and to pay the selleris out of the toun of Abirdein there voluntar contributioun, as ye hard befoir, folio . Sic as might be gottin wes brocht in and furneshit, bot the tailzouris and cordineris of both Abirdenes wes zokit to wark to mak wp thir clothis, schoois, and sewsteris to sew sarkis, bot gat no thing for there trauellis. And thir commoditeis wes perforce brocht in to the toune fra the porre people be ane pairtie of soldiouris direct out to ryp, serche, seik, and tak quhair euer thay micht be found.

Both Abirdeins chargit to furnish out clothis and shone to Generall Leslyis soldiouris.

The toun is vnhabill.

The country serchit and payit out of the contribution.

Abirdenes wirkis the wark for nocht.

The poore countrie people harillit to the toune.

APPENDIX.

APPENDIX.

No. I.

BURNING OF THE TOWER OF FRENDRAUGHT.

THIS singular and inexplicable tragedy seems to have created a universal feeling of horror at the time of its occurrence. It occupies a prominent place in many of the histories of the period, and it has not been left uncelebrated in the ballad literature of the district. The most authentic notices of the event are to be found in the Records of the Privy Council of Scotland, and of the Court of Justiciary; and it has been thought that no commentary could more fitly illustrate the quaint narrative of Spalding, or more adequately represent the troubled times during which he wrote, than a collection from these records of the most striking facts which were elicited in the attempts so strenuously made to penetrate the mysterious obscurity with which this deed of darkness was surrounded. It will be seen how much incidental light is at the sametime thrown on the state of judicial practice of the criminal law of the period.

It would appear that popular suspicion had at once been fixed on the laird of Frendraught, and more especially on his wife, as the authors of the calamity. It was obviously under the influence of such suspicions that the laird, about three weeks after the date of the fire, took the step recorded in the following minute of the Privy Council:—

Apud Halyrudhous secundo die mensis Novembris 1630. Sederunt—

Chanceller,	Linlithgow,	Lord Melvill,
Thesaurar,	Wintoun,	Clerk of Register,
President,	Lauderdaill,	Advocat,
Priuie Seale,	Lord Areskine,	Justice Clerk,
	Sir James Baillie.	

The whilk day, in presence of the lords of secreit counsall, compeired personallie James Crichtoun of Fendraucht, and declared that immediately after that unhappie and deplorable burning of his toure of Fendraucht, and of some noble persons and others being thairin, committed be some devilish and odious plotters agains him, his lyfe and estate, in the moneth of October last, the said James Crichton of Fendraucht, pairtlie out of greefe of mynde, and pairtlie for ischewing anie sudden violence whilk might be used agains him, he addrest himselfe to the brugh of Perth, where George, Viscount of Dupline, Lord High Chanceller of this kingdome, had his residence; and there humbelie desired the said Lord Chanceller to protect him from all violence and injustice, and to tak diligent tryell of the

committers [illegible] and [illegible] [illegible] to [illegible] whatsoever [illegible] or [illegible] appearance [illegible] dangerous [illegible] might arise against him, upon the occasion [illegible] the [illegible] [illegible] within his [illegible]. Likeas, now, the said Lord of Pennycuik being [illegible] to be [illegible] [illegible] Edinburgh with the said Lord Chancellor, and being personally present in [illegible] counsell, [illegible] repeated his former declaration in presence [illegible] whole counsell, and humbelie intreated them to make diligent search and inquisition for [illegible] [illegible] committers [illegible] the said slaughter and treasonable fact, and [illegible] his own part [illegible] his innocence was content to [illegible] himself [illegible] as [illegible] presents [illegible] [illegible] himself whensoever he shall be lawfully charged [illegible] that effect, under the pain [illegible] one hundreth merkes.

The lords [illegible] secret counsell having [illegible] the relation [illegible] James Creichtoun of Pennycuik [illegible] [illegible] his declares, that he and Lord Chancellor is accepting of the said James Creichtoun [illegible] his [illegible] and [illegible] him till the day that the said James exhibite [illegible] himself before the counsell in good and acceptable service to his Majestie, and conforme [illegible] to the [illegible] and [illegible] of his place and office in [illegible] [illegible].

On the 4th of November, a commission was granted to George Lord Gordon, William Lord Hay, and Sir Robert Ker[illegible], knight baronet, "to apprehend and [illegible] before the Privy Council the persons of John Meldrum in Rathill, and William Murray, Robert Wilson, and Robert Richardie his servants, on account of the [illegible] suspicions that they have been upon the [illegible] counsell, device, and [illegible] of that most monstrous, inhumane, and treasonable fire-raising within the place of Pennycuik."

On the 30th of November, commission was granted to the Lord Gordon, Lord Hay, and Lord Desforde, for apprehending "John Tosse, maister houseman to the Lord of Pennycuik, Thomas Tosse his servant, Johne Gib his gairdner, and Robert Bewlie his cooke," to be examined in the subject of the fire.

On the 23rd December commission was granted to George Lord Gordon, William Lord Hay, [illegible] Lord [illegible] and James Lord Desforde, for apprehending certain [illegible] [illegible] [illegible] of the Lord of Pennycuik. The list is interesting from the view which it [illegible] [illegible] to [illegible] of the various retainers which then [illegible] the [illegible] of a wealthy and powerful baron of the lesser order. The persons [illegible] were:—

[illegible] Somervell, [illegible] Robert Somervell, Pennycuik's man, [illegible] Bewlie, [illegible] Robert Bewlie, and William Smith, Isaia his servant, James Meiklis, [illegible] [illegible], and [illegible] Fraser, shedler[a] in Pennycuik, Alexander [illegible], [illegible], William Robertson, Andrew Home, James Forbes, [illegible], [illegible] and [illegible] in Pennycuik, Malcolm Learmonth, [illegible], Christian Tosse, [illegible] Clerk, and Margaret M'Kesone, servants to Pennycuik, [illegible], servant to John Beatton, Johne Robertson, servant to [illegible] Dunlop, Robert Fraser servant to Pennycuik, Johne Chalmer, [illegible] [illegible], [illegible], [illegible] Anderson, [illegible], James Wishart, pleasant, wheresoever they may be apprehended, and to bring, present, and exhibite them before the said lords to be examined upon the [illegible] treason.

The following persons were also ordered to attend and give evidence:—

George Chalmer [illegible] Nicol, Mr Hare Seatton of [illegible], George Davidson, sone to

[a] Shedler. The manager of a mine: the master of servants: the leader of a band of workers. (Jamieson Dict.)

Janet Moriesone, Alexander Leslie in Ernhill, Adam Strauchane there, Thomas Burnet of Camphell, Androw Burnet his brother, Mr. Gilbert Keith, minister at Bourtie, James Blacke there, William Garioche of Tillichetlie, Mr. Thomas Melvill, minister at Dyce, William Ogilvie, brother to the said Lord Ogilvie, Fraser his servant, Alexander Garden in Murealehous, John Gordoun in Leyludge, Mr. John Reid, minister at Tarlen, David Duncan, servant to Peter Rollock.

On the 27th January, 1631, a committee of the council was named for examining the laird of Frendraught and his servants. The result does not appear; but, on the first of February,

The lords allowes the ladie Fendraucht, Magdalene Inneis, and Christian Chalmers, to returne home; and the laird of Fendraucht obleist himselfe for exhibitioun of Christiane Chalmers, when he sall be required, betuixt and Witsonday next.

On the same day, their lordships granted commission to William Erll Marischal, Patrik, bishop of Abirdene, John, bishop of Murray, James Lord Ogilvie, David Lord Carnegie, and Colonel Harie Bruce,

Or anie three of thame conjunctlie to make thair addresse to the place of Fendraucht with convenient diligence, and at suche tyme as they sall appoint, and there to sight and view the hous of Fendraucht, and to consider the frame and structure thareof, and how and by what meanes the fire wes raised within the same, and if the fyre wes accidentall or done of sett purpose by the hand of man, and if thare be ane possibilitie or probabilitie that the fire could have beene raised be anie persouns without the hous, and that they report thair proceedings, and what they sall find thairin formallie in writt under thair hands to the saids lords, upon the twentie day of this instant, for doing whereof, the extract of these presents shel be unto the saids commissioners ane sufficient warrand.

On 4th April, the laird of Frendraught presented a supplication to the Privy Council regarding the delays which had occurred, and repeating his earnest desire to have "that hiddin mysterie brought to a cleare light."

On the 20th of April the commissioners, who had been appointed to visit the place of Frendraught, reported to the council in the following terms:—

At Fendraucht the threttene day of Aprile, the yeere of God jaj vic and threttie ane yeeres, we under subscryvers, for obedience of ane ordinance and warrand gevin be the lords of his Majesteis most honnourable priue counsell, made our addresse to the hous of Fendraucht, and considerit the frame and structure thairof, for tryell how and be what meanes the fire wes raised within the same, and whether the fire wes accidentall, or done of sett purpose be the hand of man; and if there be ane possibilitie or probabilitie that the fire could have been raised be ane persoun without the hous, and having seghted and examined the samine, with ane voice and consent resolwes as followes: We finde be all likliehoode, that the fire whairby the hous wes brunt wes first raised in ane vault, whairin we find evidences of fire in thrie sundrie parts; one at the farthest end thairof, another towards the middes, and the third on that gavell which is harde by the hole that is under the bed whiche wes in the chamber above. Your good lordships will excuse us if we determine not concerning the fire, whether it wes accidental or of sett purpose by the hand of man; onelie this muche it seemeth probable unto us, after consideratioun of the frame of the hous, and uther circumstances, that no hand without could have raised the fire without aide from within. In witnes whairof, we have subscribed thir presents with our hands: Patrick Aberdene, John bishop of Moray, James Lord Ogiluy, Carnegy, Henry Brus.

The council seem to have been utterly at a loss how to arrive at any conclusion in the matter; and, in the absence of any solid ground of procedure, to have been moved to adopt such new measures for elucidating the fact, as were suggested by the passing rumours of the day. On 5th July, 1631,

The lords of secreit counsell are crediblie informed that Margaret M'Keeone, lait nurse to the Ladie Fendraucht, hes beene upon the counsell, device, and executioun of the treasonable fireraising and burning of the Lord Melgume, the laird of Rothiemay, and others within the toure of Fendraucht, in the moneth of October last, for the better tryell and cleering of whiche business, necessar it is that the said Margaret be exhibite before the counsell, there to be examined concerning her knowledge of the said fact; thairfoir the saids lords hes given and grantit, and be the tennour heirof gives and grants full warrand, power, and commissioun to George Lord Gordon, and to such others as he sall appoint, for whome he sall be answerable, to pass, searche, seeke, and take the said Margaret M'Kiesone where ever she can be apprehendit, and to bring, present, and exhibite her befoir his Majesteis counsell, to be tryed and examined upon such particular interrogators as sall be given in againe her concerning the purpose aforesaid, firme and stable halding and for to halde, all and whatsomever things the saids commissioners sall lawfullie doe herein.

Her examination does not appear, but it probably led to no useful result. On 5th June, 1632, in consequence of a missive to the Privy Council from his Majesty, expressive of his desire, that for better cleering of the truthe taiching the burning of the toure of Frendraucht, and that justice may be executed upon whosoeuer sould be found guiltie of so odious and barbarous a fact in the most exemplarie maner, "they would imploy one day in euerie weeke upon the exact tryell of the samyne." The lords

Hes thought meit, and ordained that there sall be ane weeklie meeting twise everie weeke in the forenone, in the laigh counselhous of Edinburgh, anent the mater foresaid, and that thair first meeting sall be upon Thursday next at ten of the cloacke in the forenone, and ordains these of the counsel that ar upon the sessioun to be excused from thir meetings.

On the same day, another missive from his Majesty was read, enjoining the lords to proceed to put Johne Meldrum to his trial by torturing him according to their previous act, if they find no new reason to the contrary.

On 28th June James Chrichtoun of Frendraucht compeared before the lords, and declared that he "would concurre with the Marqueis of Huntlie and other noblemen interested, in persute of John Meldrum, and tryell of his guiltines tuiching the burning of the hous of Frendraucht, bot would not insist nor urge be himselfe more then is alreadie done." On the same day

Williame Erle of Errol for himselfe, and in name of the ladie Aboyne his sister, and George Lord Gordoun for himselfe, and in name of George Marqueis of Huntlie his father, compeirand personallie before the lords of Priuie Counsell, declared that they would insist in the persute of Johne Meldrum and Johne Toshauche.

On 17th July, 1632,

James Crichtoun of Fendraucht, togidder with Mr. James Baird his procuratour, compeirand personallie before the lords of Privie Counsel, protested that the said James being declared free and innocent of the burning of his hous of Fendraucht, and of the noblemen and others being thairin for the tyme, he may have action againe the Marqueis of Huntlie and Lord Gordoun for damage and expensis.

On 26th July James Crichton, on the one part, and James Leslie, apparent of Pitcaple, for himself and his friends, who had been charged as parties anent the burning of the house of Frendraucht, on the other part, submitted to the determination of George Viscount Dupline, Lord High Chancellor of Scotland, the differences presently standing betwixt them.

"Tuicheing the dommage and expensses craved be the said laird of Pitcaple frome the said laird of Fendraucht, and alleged susteanned be the said laird of Pitcaple himselfe, and his saids freinds and servants, throw the charging of his saids freinds and servants, and his and thair attendance on the mater foresaid, togidder with the actioun depending thairvpon before the saids lords, and the answeres made, or to be made thereto be the said laird of Fendraucht."

On 3rd August, 1632, John Toscheoch or Tosh, servant to James Crichton of Frendraught, was placed on his trial at the bar of the Court of Justiciary, as guilty of burning the tower of Frendraught.

The following is a copy of the dittay against him, and the allegations in it may serve to show one of the theories devised to account for the fire, although it will appear from a subsequent trial that a different and contradictory one was afterwards entertained, and relied upon for the same purpose.

Dittay against Tosh.

Charles, by the grace of God, King of Great Britane, France, and Ireland, Defender of the Fathe, to our louittis James Grahame, messinger, messingeris our shireffis in that pairt, coniunctlie and severallie, speciallie constitute, greiting: Forsameikill as it is humlie meant and compleint to us be our right trustie cousing and weilbelouit counsillor, George Marqueis of Huntlie, &c., as father to umquhile John Viscount of Melgwm and as maister to umquhile Colene Eviote, and umquhile Williame , callit Inglische Williame, servandis to our said right trest cousing, dame Sophia Hay, Viscountes of Melgwme, relict of the said umquhile Johnne Vicount of Melgwme, James Gordoun now of Rothiemay, as brother to umquhile Johnne Gordoun of Rothiemay, Katharine Forbes, Ladie Rothiemay elder, as mother to the said umquhile Johnne Gordoun of Rothiemay, with the remanent kyn and freindis of umquhile John Vicount of Melgwme, umquhile John Gordon of Rothiemay, the saidis umquhile Colene Eviote, Williame , callit Inglische Williame; as also the kyn and freindis of umquhile Abernethie and Fordyce, servandis for the time to the said umquhile John Gordoun of Rothiemay, and our trustie and weil belouit counsallor, Sir Thomas Hope of Craighall, knycht barronet, our aduocat for our intreis, upoun Johnne Tosche, servand for the tyme to James Creichtoun of Fendraucht; that quhairas in the monethe of October, 1630 yeiris, the said James Creichtoun of Fendraucht, accumpaneit with the said John Tosche and utheris his servandis, haveing cum to the place of the Boig perteneing to our said trustie cousine and weilbelouit counsellour, George Marqueis of Huntlie, &c., quhair he with his famelie war dwelling and remaneing for the tyme, and haveing impairtit to him the unhappie feid and inmintie that had fallin out betuixt him and the surname of Leslie, for the hurting and wounding of James Leslie of Achortes, secund sun to the laird of Pitcaple elder, and how by no means he was hable to keip that cuntrey unles be our said trustie cousing and weil belouit counsellour his moiane and freindschipe, that quarrel betuix him and the Lesleis war removet and packet up; quilk being frielie undertakin be our said trustie cousing, with assuired promeis than maid be him to the said laird of Frendraucht, that nane within that pairt of the cuntrey, by ordour of law, sould do to him anie wrong or iminat; Lykas, the said laird of Frendraucht being thairupoun steyit and detainet be our said trustie cousing and weill belouit counsellour, George Marqueis of Huntlie, within his said place of

the Boig all that day and nycht following, he, upoun the morne thaireftir, resoluit to depairt and pas hame to his awin dwelling hous of Frendraucht; at quhilk tyme of his depairtour our said trustie cousing, furthe of ane honorabill and honest mynd for the said laird of Frendraucht his gritter securitie, and the better to guaird him in his jurnay homewardis, having directit the said Johnne Vicount of Melgwme, sone to our said trustie cousing, with the said John Gordoun of Rothiemay, Colene Eviote, and Williame callit Inglische Williame, togidder with the saidis Abernethie and Fordyce, servandis to Rothiemay, with certane utheris our said trustie cousing and weilbelouit counsellour his servandis, than attending him within his said place, to prepair and mak thameselffis reddie saiflie to convoy and guaird the said laird of Frendraucht hame to his hous, and thaireftir to returne bak agane to our said trustie cousing his said hous of the Boig; quhilk assurance of saif convoy being proponit be our said trustie cousing to the said laird of Frendraught, being the sevint day of the moneth of October, 1630 yeiris, and the first day of the said laird of Frendraucht his cuming to our said trustie cousing his said house of the Boig; and the samyn overtour being hard and knawin to the said Johne Tosche, quha than was present attending upoun the said laird of Frendraucht his maister, and how that his said maister was to stay that nycht with our said trustie coussing and weil belouit counsellor, George Marqueis of Huntly, &c., and nocht to cum away frome him quhill the morene thaireftir, being the aucht day of the said moneth of October, the said Johne Tosche thairupoun dispatchet himselff away fra the said place of the Boig vpone the said sevint day of October, and with all post dilligence came to his maisters hous of Frendraucht, quhair at his cumming thairto he acquentit the ladie Frendraucht of his maisters stay with our said trustie cousing that nycht, and how that upoun the moirne thairefter he was to cum hame with the convoy, guaird, and companie of the said Lord Vicount of Melgwme, sone to our said trustie cousing, and remanent persones foirsaidis; Lykas, accoirding to the said repoirt and declaratioun sua maid be him, the said laird of Frendraucht his maister haiveing remanet all that nycht with our said trustie cousing, weill and louinglie interteinet be him and his ladie within thair said place of the Boig, quha upone the moirne thaireftir tuik his guid nycht or fairweill, being the aucht day of the said monethe of October, and coming to the convoy and companie of the said Lord Vicount of Melgwme, the said laird of Rothiemay, and thair servandis and followeris above writtin, saiflie hame to the said laird of Frendraucht, the said John Vicount of Melgwme being altogidder resoluit at that time, with his companie, to returne bak to his father to the said place of the Boig, nawayis myndfull to have stayit in Frendraucht that nycht: he, nochtwithstanding thairof, be the earnest requeist, prayer, and intercessioun of the said laird of Frendraucht and his ladie, was forcet and compellit, in loveing and freindlie forme as appeirit, togidder with his haill companie above writtin, to stay and abyde with thame that nycht, and to soupe with thame; and eftir supper thair beddis being prepairit and maid within the chalmeris of the toure of the said place, and thay in peaceable and maist loveing maner as appeirit, being laid doun to rest thameselffis that nicht thairintill, expecting na evill, harme, iniurie, or violent deid to be offerrit or done to thame, or any of thame, within that place. It is of veritie that the said Johnne Tosche, far by the harmeles and innocent persones foirsaidis thair expectatioun, upon quhat devilische instigatioun altogidder unknawin to thame, or to the saidis complineris thair freindis and kyndismen, in the deid hour of the nycht, when all the peple and servandis of the place war at rest, past secreitlie to ane chalmer quhair ane Thomas Joss, ane of his fellow seruandis within the said place, and ane keiper of the key of the voltis, quhilkis war directlie benethe the toure quhairin the said Lord Vicount of Melgwme, the said laird of Rothiemay, and thare cumpanie lay, and secreetly staw and brocht away with him the key out of the said Thomas Joss his breikis and poutches thairof, the said Thomas being in his bed and fast on sleip for the time: and thairefter came to the said volt or laiche seller benethe the said toure, and haueing openet the dure thairof, and drawin in and convoyit thairintill certane faggottis, tymber, powder, flax, and other combustable mater, provydit and prepaired by him, he the said Johne Tosche, out of ane devilische and disperat humour, fyret the

samyn; be the fyreing and kyndleing quhairof, the said loftingis above the said volt, speciallie the chalmeris of the said toure quhairin the said Lord Vicount, the laird of Rothiemay, and thair servandis and followeris, to the number of sax persones, Cristiane suillis, war maist petiefullie brunt to deid. And sua the said toure of Frendraucht was maist barbarouslie fyret and brunt, and the noble man, gentillmen, and utheris foirsaids, than being thairintill, maist lamentablie brunt quik to deid be the said Johnne Tosche; and he is art and pairt thairof comittit upon set purpois, provisioun, precogitat malice, and foirthocht fellonie, in hie and maniefest contempt of our auctoritie and lawis, and in evill example of utheris to commit the lyk, gif the samyn be sufferit to pas over unexamplarie puneist.

The counsel for Tosh objected to the dittay being remitted to the knowledge of an assize,

Becaus the pannel being examinat upon the poyntis of the said dittay be the lordis of his Majesteis Previe Counsall and thair commissioneris, and being put to the tortour thairupon, first to the tortourof the buittis upone the first day of Apryle, 1631, next to the tortour of the pilliewinkis upon the twelf day of July last, the pannall, in all his suffering of bayth the saids tortours, constantly, and upon his grit aith, declairit that he was nawayis the burner of the hous of Frendraucht, actor nor accessorie thairto, or that he knew ony thing anent the burning of the said hous, nor quha war the dooaris thairof; be the quhilk constant denyall, suorne and reiterat in the first and repeited tortour, the pannell hes sufficiently purget the suspitiones, presumptiones, and all probatioun quhatsuevir agains him of the said fact and deid quhairupone he wes tortouret, and hes evacuat the samyn, approvein his innocencie of the said fact and deid quhairupon he wes tortouret, and evincet the treuth thairof, in respect quhairof he aucht to be assoilzeit.

This plea, after a great deal of learned argument, was sustained.

The justices and thair assessores, eftir consideratioun of the haill process, sumondis, exceptionis, replyis and duplyis, indices and presumptionis, producit and usit thairintill, findis that the pannel aucht not to be put at this tyme to the knawledge of ane assyse, without prejudice always to the persewaris upon new sufficient indices to persew the pannell *de novo* as accordis of the law, and ordaines, in the meantyme, the pannell to be returned and tane back to his waird, to be interteanit thairintill upon the persewaris expensis, according to the modificatioun of the lordis of his Majesteis secreit counsall.

Against this finding Sir Thomas Hope, Lord Advocate, brought forward additional arguments, to show

That nochtwithstanding of the haill alledgeances and interloquitour above writtin, the criminall lybell most pas to ane assyse, becaus it is consauct positivlie, and is not foundit upoun *indices*; and, albeit, be the civile law, tortor purgeth *indices*, yit it hinderis not the repetitioun of tortour quhair *indices* ar not cleirlie purget, nor quhair new *indices* are supervenient. And quhat evir be the cours in the civill law, it cannot haive place within this kingdome, quhilk aucht to be rewled be the lawis of the samyn, be speciall act of parliament maid in the dayes of King James the Second; and it is certaine that nevir befoir this houre it was fund in Scotland, that a preceiding tortour, with absolute and constant denyell of the persone tortourit, did free the pairtie accusit from passing to ane assyse; bot ewer quhair the lybell was relevantlie qualifiet as this is, the matter of fact and tryell thairof was put to the knawledge of ane assyse, as was fund nocht onlie in the matter of Auchindrane, bot also in the matter agains John Maxwill of Garrarie, Patrick Aldoch M'Gregor, and George Sprote, in the quhilkis caissis, and ewerie ane of thame, all the probatiounis and presumptionis war usit againes the pairties accusit befoir the tortour, and constantlie and ab-

solutlie denyit in the tortour, and in the tortour reiterat, and yit put to the knawledge of ane assyse and convict, and eftir convictioun constant in denyell till they war brocht to the scaffold and place of executioun, and than confest be some of thame.

In the course of his argument he thus alludes to the presumptions against the pannell, and to the contradictory statements which he had made :—

Being inquyred gif he was in the girnell volt that nycht he denyit the same. The contrair quhairof was provin be his awin confessioun maid to the persone of Tureth, Alexander Lyoun, and maister Alexander Forbes. Item, betwixt his being in the volt and raiseing of the fyre thair intervenit not ane houre and ane half, and he himselff is the first cryer of "fyre," "fyre," quhilk was denyit be him at the first, bot being confrontit with Mr. Hairie Seatoun grants the samyn. Item, to free him of all suspicioun of being accessorie to the cryme of burning, he deponit that he came doun out of his chalmber in his sark, with a sword and ane gwne in his hand ; the contrair quhairof is proven be Thomas Joss, stewart, and be William Pantoun. Item, he deponit that he tuik ane rasche candle out of the kitching, and it is proven agains him be Alexr. Leslie that he tuik ane commoun candle with ane chandler out of his awin chalmer. Item, be his depositionis upon the aucht and tent days of December, 1630, he grantis that he tuik the key of the utter doore of the volt fra Thomass Joss, stewart, quhill he was sleiping. Item, he deponit that he tuik the key first to get ane drink to himself and to Domingo, and thairefter being of new examinat, deponis it was to get ane drink to Buck, under cuik, and that quhen he brocht the key from Joss, he layed it doun in the kitching buird till he sould go to the laidiner, and give out the brekfast to the stewart, and that thaireftir he returned to the kitching, and tuik the key of the volt out of the kitching with ane rasche candle, and tuik ane cop and brought ane drink to Buck in the kitching, albeit it is provin cleirlie againes him, that he nayther brocht the key to the kitching, nor brocht the drink to Buck. Item, he deponit be his great oath, that or he went to the utter doore of the volt, that the maister cuik was gone to bed, and that he went to the seller to get ane drink to Buck, under cuik, to move him to sit up, and yit he himselff, be his depositioun maid upon the saxt day of Julij, 1632, deponis he left the maister cuik in the kitching. Item, being inquyred concerning the great kist quhilk stuid in the volt, and quhilk is supponed to be the vessel quhilk conteint the powder and uyther combustabill matter quhilk brunt the tour, he deponis be his great oath, that he knew not of the burning thairof for the space of aucht days befoir ; and condiscendis that James Clerk, aucht dayes eftir the burning, tald him first thairof. The contrair quhairof is provin againes him be Thomas Joss and William Pantoun, quha deponis that the said kist was brunt with fyre wark, and that Thomas Joss tald the day eftir the burning that the kist was brunt. Item, the pannel being examinat quhill he was in the castell, gif he had sent any saicret letres to or from Marie Borthuik, his pairtie[a] being tuyss or thryss sworne denyit, bot eftir being confrontit with George Dulsoun, his awin sister sone, quho caried the letres, he grantit the samyn, but ony tortour, quhilk evincet evidentlie his perjurie. And all thir particular *indices* being amassit togidder, they may weill be counted as starnes to see the nycht with, speciallie in respect that the lordis of secreit counsall, being carefull to try this curst and execrabill fact, be thair comissioun of the daitt the fourt of Apryle, 1631, gave warrand to the Erle Merchall, to the Erle of Southask, the bischope of Aberdeane, the bischope of Murray, the Lord Ogilvie, and colonel Harie Bruce, to sight and vew the hous of Frendraucht, and to consider by what manner the fyre was raised thairin, and gif the fyre was accidental or of purpois by the hand of man, and gif thair was ony possibilitie or probabilitie that the fyre could haue been raisit

[a] On 15th December, 1632, an act of the Privy Council was passed for the apprehension of Marie Borthwick, 'lemman to John Toshoche, from certain presumptiouns that she can give a great light in manie thingis, quhilkis may tend to the discoverie of the maters quhairof the said Johne Toshauche is suspect guiltie.'

be any persone without the hous. To the quhilk, repoirt was maid upon the tuentie day of Apryle, by the quhilk they find that the fyre was not accidentall, the volt being fyred in three sundrie pairtes; and they find that no hand without could haive raised the fyre without aide from within. And seing nane within the hous bot the pannell is or can be burdenit with the lyk pregnant *indices* as he, and quhilk *indices* was nevir yit purget be the tortour, of all reasone and justice the persewaris aucht to haive the priviledge of the lawis of the kingdome, to prove thair positive dittay be ane assyse.

On the 25th of June, 1634, the justices-depute and assessors adhered to their former deliverance. Justices—Mr. Alexander Coluile and Mr. James Robertsoun, advocates. Assessors—Sir Thomas Henderstoun of Chester, knight, Sir George Auchinlek of Balmanno, knight, and Sir George Halyburtoun Fotherance, knight, senators of the College of Justice.

It will be remarked, that the dittay against Tosh proceeds on the assumption that the fire was kindled by him from within; but before the date of the last proceedings against him, just quoted, John Meldrum of Ridhill had been accused, condemned, and executed for his supposed share in the burning, on grounds barely compatible with those on which Tosh was tried. In Meldrum's trial, which will now be adverted to, it is supposed that he was the means of firing the tower from without, without any allegation being made that he was an accomplice of Tosh, so that the one was acting from the outside and the other from within. This is fully expressed by Tosh's counsel.

It is farder eikit and obiectit be Mr. John Nisbet agains the irrelevancie of the dittay, that ane uthir being indytit, condempned, and execute for the same cryme at the instance of the same persewaris, the pannall can nevir be accused bot in the qualitie of ane complice, and as auxiliator to Meldrum; quhilk qualitie most be exprest in the dittay *et debet dici quod prestitit auxilium, consilium et favorem.* Carerius in practica, pagina 125, num. 13. *Et debet specificari quod dolose scienter et appensate opem prestitit alias absolvitur inquisitus et accusatus;* Carerius, in practica, Pagina 133, ante num. 19, *et quando de principali constat, etiam per indicia tantum, nomen debet exprimi, quia aliter res tolleretur defensionis, quod dicere absurdum est:* Pharimacius, questione 3, numero 9, versus finem: And, thairfoir, since it is not lybellit that the pannell is complice to Meldrum, alreddie convict for the same cryme, *duo lybelli, disparati, de eadem re, ad instantiam unius partis,* and cannot be sustenit, *nec bis de eodem delicto quæri.* Attoure, this dittay is not only without qualitie and relatioun to the former dittay agains Meldrum, bot contrair and incompatible. For the former proportis that Meldrum come with his complices under silence and clud of nycht, and supponeing that Frendraucht was lying within the toure, of intention to burne him, did for that effect thraw in at the slittis of the volt, flax, powder, and uthir combustabill matter, and sua fyred the hous; be occasioun quhairof, the Vicount of Melgwm was brunt, contrair to the quhilk dittay, this dittay againes the pannell beires, that the pannell haveing understuid that my Lord Melgwm was to come to Frendraucht that same nycht, went home the nycht befoir and maid provisioun of combustabill matter, quhilk he drew into the volt the nycht eftir, and fyred it when my Lord Melgwm was asleip in his bed above the volt, quhairvpone ensewit the burneing foirsaid, sua that the dittay againes the pannell insinuatis *disparatam intensionem* of the burning, the pannell knawing that the laird lay without the reitch of the fyre, and that my Lord Melgwm and Rothemay, his lait enemies and reconceilit freindis, lay in the chalmeris nixt adjoyneing to the volt; quhairas the former dittay beiris the fyre to haive been intendit againes Frendrauchtis awin persone. Last, the dittay beiris *disparatam executionem*, the ane be Tosche within the hous, the uther be Meldrum without; upoun quhilkis tua seuerall executionis it is lyebellit that the totall effect insewit, quhilk is impossibill, thairfoir to conclude ane

absolute dittay, disconforme and contrair to ane uthir anent the same individuall cryme, alreddie fund relevant and provin. *Et qui sic transiet in rem judicatam* cannot be sustenit.

The following is a copy of the dittay against Meldrum:—

Charles, be the grace of God, King of Grit Britane, France, and Ireland, Defender of the Faith, to our lovitis George Wast, James Gordoun, messengers, our shireiffis in that pairt, comunetlie and severallie, speciallie constitute, greiting: Forsamekill as it is humlie meant and complenit to us be our richt trest cousignes, dame Sophia Hay, Countes of Melgum, as relict of John, umquhile Vicount of Melgum, &c., Kathreine Forbes, Lady Rothiemay, as mother to umquhile Johnne Gordoun of Rothiemay, and our trustie and weill belouit counsellour, Sir Thomas Hope of Craighall, knycht barronet, our aduocat for our intreis upoun Johne Meldrum, than in Reidhill, now wairdour within our tolbuith of Edinburgh, That quhair the said Johne Meldrum, in the moneth of September, in the yeir of God 1630 yeires, haifeing, under silence and clud of nycht, come to the medow of Frendraucht, pertening heritabillie to Sir James Creichtoun of Frendraucht; furth of the quhilk medow he thiftuouslie staw, reft, and away tuik, be way of maisterfull thift and stouthreif, tua gray stanned horsis pertening to the said James Creichtoun of Frendraucht, quhilk war than pasturand thairintill, worth the sowme of twa thousand merkis money, and war transpoirted and cayreid away be him in maist thiftious maner; and the samyn tua horsis war riddin upon be him up and doun the countrie in all places and partes quhair he maid his repair at his pleasour; eftir the thiftuous steilling and away taking of the quhilk tua horsis, of the avail and pryces foirsaidis, the said John Meldrum being certainlie informed that the said James Creichtoun of Frendraucht, owner thairof, was of purpois and intentioun to prosecute with all rigour the ordiner cours of law agains him, for the thiftious steilling and away taking of the samyn, and for that effect that he had raised ane precept, befoir our right trest cousign and counsallour, James Erle of Murray, than lieutenent, and our justice be commissioun within the north partis of this our kingdome, for chargeing of the said Johne Meldrum to compeir befoir our said liuetennent and commissioner foirsaid, at ane certane day thairefter, to be tryit and puneischet for the said schamefull cryme. The said Johne Meldrum being conscious to himselff of his guiltines thairof, and to eschew his lauchfull tryell and deserved puneischment for the samyn, directit and imployit diuerss persones his freindis, and weill willeris to the said laird of Frendraucht, quha in his name earnestlie delt with him to desist and leave af that rigorous and violent courss, offering to mak restitutioun bak agane to him of the saidis horsis, upone conditioun that he wald give satisfactioun to the said John Meldrum for the loiss and skaith whilk he had sustened in the said laird of Frendrauchts service. The whilk conditioun being altogidder refuiset be the said laird of Frendraucht, the said Johne Meldrum thairupon conavet ane deidlie haitrent, malice, and ilwill agains the said laird of Frendraucht; and in all pairtis and companies quhair he come oppinlie, with grit attestationes, thraitned and avowed that he sould be about with Frendraucht, and that it sould cost ane of thame twa thair lyves, and to do to him ane evill turne besyde. And for this effect the said Johnne Meldrum presentlie tuik his recourss to James Grant callit of Carroun, ane notorious soirnar, outlaw, theif, and rebell, keipit dyuerss trystis and meittingis with him, craveing the said James his assistance and help, to be avendget upone the said laird of Frendraucht, and in end the said Johne Meldrum haifing convocat to himselff certane brokin men, all fugitiues and rebellis, his complices and associattis, upone the aucht day of October, the yeir of God jai vic and threttie yeiris under silence and clud of nicht, betwix twelff hours at nycht and twa eftir mydnycht, come to the place of Frendraucht, and supponeing and certanely persuading himselff that the said James Creichtoun of Frendraucht wes lying within the tour of Frendraucht, quhilk was the only strenth and strongest pairt of the said place, the said Johne Meldrum, with his saidis complices, in maist tresonabill and feirfull maner, haifing brocht with thame ane hudge quantitie of powder, pik, brumstone, flax, and uther combustabill matter provydit be thame for the purpois, pat and convoyit the samyn in and throw the slittis

and stones of the volt of the said grit tour of Frendraucht, weill knawin and foirseine be the said Johne Meldrum, quha with his complices at that instant tyme fyret the samyn pik, powder, brumstone, flax, and uther combustable matter above writtin, at dyuerse places of the said volt; quhilk being sua fyret and kindlet, did violentlie flie to ane hoill in the heid of the said volt and tak vent thairat, the whilk hoill of the said volt and vent thairof being perfytlie knawin to the said John Meldrum, be reasone he had remained in houshald with the said laird of Frendraucht, as his douiefull servand, within the said hous and place of Frendraucht for ane lang tyme of befoir, and knew and was previe to all the secreitis of the said house. And the said volt being sua fyret, the haill tour and houssis quhairof immediately thaireftir, being foure hous hight, in les space than ane hour tuik fyre in the deid hour of the night, and was in maist tresonabill, horrible, and lamentable maner brunt, blawin up, and consumet, be occasioun quhairof, the said umquhile Johne Vicount of Melgum, and umquhile Johne Gordoun of Rothiemay, with some of thair servandis and followeris (quha the day befoir had come to the said place of Frendraucht, in companie of the said laird of Frendraucht to his said place, to guaird and defend him frome the violence and invasioun of his unfreindis, and quha that nycht lay and remanit within the said tour of Frendraucht) war in that deid hour of the nycht, being sleiping in thair beddis securelie for the tyme within the said tour, maist crewellie, be the violence of the said fyre, without ony help or remeid, brunt to deid within the said tour be the fyre kindlet and arrysing furth of the said volt, and the samyn toure, with the haill houssis thairof, togidder with the saids umquhile Johnne Vicount of Melgum, Johnne Gordoun of Rothiemay, with thair servandis, than being in thair companie thairintill, was pitiefullie brunt, consumed, and destroyed be the said Johne Meldrum and his complices, and he is airt and pairt of the burning thairof, and of the cruell and execrable daith and destructioun of the honorabill persones foirsaidis, and thair servandis above nominat, than being within the said tour; lykas, the said John Meldrum, immediatelie eftir the committing of that horrible, treessonable, and devilische fact was publiclie committit, and defamed be the haill voce of the countrey people as the committer of the said tressonabill and execrable deid, the repoirt quhairof cuming to the eares of the lordis of our Previe Counsall, thay, upone informatioun of the samyn be thair commissioun, of the dait the fourt day of November, the yeir of God jai vic and threttie yeiris, gave warrand and commissioun for taking and apprehending of the said Johnne Meldrum, and to exhibit him befoir thame; lykas, conform thairto, he being presentit and examinat be the saidis lordis, was thaireftir committit to waird be thair directioun within our tolbuth of Edinburgh, quhair he hes remanit continuallie sensyne, and as yit remains, and he being at dyuersse tymes thaireftir examinat be the saidis lordis, he, be hes depositiones hes grantit and confessit that he avowit to doe ane evill turne to the said laird of Frendraucht, and that it sould cost ane of thame thair lyves, and thairwith declairit that he met dyuerse tymes with the said James Grant, ane notorious rebell, outlaw, and soirner, and askit help of him to get ane mendis of the said laird of Frendraucht; and lykwayis deponit, that gif evir it sould be fund thaireftir that he spak of the burning of the house of Frendraucht, that he wald tak the cryme thairof upone him; lykeas thaireftir, he being confronted with Sir George Ogiluie of Banf, knycht, and with Andro Baird, bailzie of Banff, thay deponit in his presens, that the nycht befoir the burning the said Sir George and Andro Baird being in Leggattisden, the said Johnne Meldrum come to thame about the sone sett, bot went away eftir supper, and that the said John Meldrum desyret the said laird of Banff to deall with the laird of Frendraucht to forbear and leave of all proceiding agains him befoir our said right trest cousign James Erle of Murray, our commissioner and leutenant foirsaid, quhilk the laird of Banff promeissit to doe gif the said Johnne Meldrum wald interpone himselff and procure ane assureance betwix Pitcaple and Frendraucht; to the quhilk the said John Meldrum answerit, my business most be presentlie done, and gif it be nocht suddantlie tane ordour with, thair will be ane evill turne done to Frendraucht, quhilk will not be mendit, and the said laird of Banff haifing demandit of him quhat wald be done against him, the said John Meldrum his answeir was, that he wald be brunt. To the whilk Banf replying, wha wald

burne him? saying that James Grant wald nocht be the deear thairof, seing he repented himself of his last cuming in the cuntrie. The said Johnne maid only this answeir, that he wald be brunt without nameing of ony persone. Quhilk depositioun being maid in presence of the said Johnne Meldrum, and the said John being demandet be the saidis lordis of our Previe Counsall anent the treuth thairof, the said John declairit that he spak the same wordis or thairabout; lykeas, thaireftir, the said laird of Banf being of new examinat in presence of the saidis lordis, and inquyret gif John Meldrum condiscendit in his discourse upone the tyme of the burning, he than deponit that, upone occasioun of the said Johnne Meldrum his speiches, Banf haifing desyret him to continew and stay quhill the morne at nyne of the clok in the morning, and to try gif he could haif any assureance fra Pitcaple, and than Banf sould do his turne. To the quhilk it wes answeirit be the said Johnne Meldrum, yor bussiness wold stay for ane tyme, bot myne can ressave no delay; lykeas, also, the said Andro Baird, being lykwayis examinat in the premissis, deponit that he was present, and hard all the former speiches that past betwixt Banff and Johnne Meldrum concerning Frendraucht; and the said Johnne Meldrum being thaireftir poiset quhat moved him to speik so peremptourlie anent the burning of Frendraucht, he, for cloking and covering of his devilische fact, declairit in presence of the saidis lordis, that he did the same to terrifie the laird of Frendraucht, and that he was counsallit thairto be some of Frendrauchts awin freindis to doe the same; and being poset quhat freind of Frendrauchtis had counsallit him sa to doe, deponit that it was the laird of Lesmoir elder, quha said to the said Johnne Meldrum, that the only way to get satisfactioun from Frendraucht wes to stik and burne, and to hang Clerk and Horne, servandis to Frendraucht; lykas, the saidis lordis of our secreit counsall haifing sent for Lesmoir to cum to our burgh of Edinburgh, to the effect the trewth heirof mycht be knawin; and the said laird of Lesmoir presenting himselff befoir the saidis lordis, and being examinat upone oithe, deponet that he nevir counsallit John Meldrum to threattin Frendraucht, nor to hang Clerk and Horne, quhairby the said pretence of thraitning was altogidder takin away. And siclyk, umquhile Johnne Cruickshank in Graystoun, being examinat befoir the saidis lordis upon othe, deponit that the nycht quhairin Frendraucht was brunt he saw ane number of horssis cumand frome Turreff wards, foure myles fra Frendraucht, rydeing towards Blakfurde, quhilk is the hie way to Pitcaiple. Amongst quhome he knew Johnne Meldrum, rydeing upone ane mirk gray hors, and ane millow cloik; and albeit the said Johnne Cruickshanke, quha was dyuerse tymes examinat in presens of the saidis lordis, did varie in the circumstances of the place, and of ane woman quha was with him, quhairin he deponit untrewlie; yitt he being dimittit be the saidis lordis of our Previe Counsall, and sent home to the north, he was apprehendit thaireftir for thift, accusit, and convict thairof befoir our shirreff of Abirdene. Eftir the quhilk convictioun, the said Johnne Cruickshank was sent be our said shirreff of Aberdene to the saidis lordis of our counsall, to the effect he mycht suffer at our burgh of Edinburgh; lykas, he sufferit and was hangit upone the Castill hill thairof; and at his executioun, he being examinat in presence of two of the baillzeis of our said burgh of Edinburgh, viz., Nicol Udward and Gilbert Achiesone, as also in presens of thre ministeris, viz., Mr. Androw Ramsay, Mr. William Strutheris, ministeris of Edinburgh, and Mr. Johne Rig, minister of Dynniechen, the said John Cruickshank, immediatlie befoir his daith, and at the tyme thairof, constantlie abaid be the substance of his depositioun maid be him of befoir. Quhilk being done be the said Johnne Cruickschank, albeit he was ane criminall and deit for thift, yit in ane mater of treasone as this is, quhairin infamous persones may be witnesses, his declaratioun and depositioun is ane pregnant and vehement presumptioun of the said Johne Meldrum his guiltines of the said tressonabill cryme. For the quhilk haynous cryme, he aucht and sould be puneischet in maist rigorous and exemplarie manner, to the terror of all otheris to attempt the lyk horrible and execrable crewcltie heireftir.

The record of the trial which ensued contains a good deal of minute and curious evidence of witnesses of all sorts, including that of James Grant of Carron, who is

so frequently referred to in the text, Thomas Burnett of Camphill, Mr. Gilbert Keith, minister at Bourtie, Mr, Alexander Leslie, brother of the laird of Pitcaple, Sir George Ogilvy of Banff, and others. The selections from it are accordingly pretty copious.

Curia justiciariæ S.D.N. Regis, tenta in prætorio de Edinburgh, tertio Augusti, 1633, per magistros Alexandrum Coluile et Jacobum Robertoun justiciarios deputatos S.D.N. regis, &c.

Assessores justiciarijs deputatis præscriptis :—

The Erle of Perthe, my Lord Chester, my Lord Naper, my Lord Scottistarvet, my Lord Secretar.

Intrans—John Meldrum in Reidhill,

Dilaittit of the burning of the toure of Frendraucht under nycht, upon the aucht day of October, 1630, and of the daith and burning to deid of umquhile John Vicount of Melgum, John Gordoun of Rothiemay, &c., being within the said tour that nycht sleiping in thair beddis.

Persewaris—

Dame Sophia Hay, Lady Melgwm, relict of John Vicount of Melgwm.
Katherine Forbes, Lady Rothiemay, mother to John Gordoun of Rothiemay.
Sir Thomas Hope of Craighall, knyght barronet, advocat to our Soverane Lord for his Hienes intreis.

Prelocutoris for the Pannell.

Mr. Laurence M'Gill,
Mr. Robert M'Gill,
Mr. John Gilmour,
} Aduocatis.

The justice and assessoris haveing sene and considderit the lybell contening the dittay, with the defenssis, ansris, duplyis, and triplyis, and answeris maid thairto, be interloquitor findis the dittay positivelie set doun anent the fact and burning lybellit relevant, and remittis the samyn to the knawledge of ane assyse, and as concerning the evidences, presumptiones, and argumentis set doun in the said dittay, remittis the samyn to be considderit be the said assyse as only proper to thame; quhairvpoun my Lord Aduocat askit instrumentis.

Assisa.

Patrik Quhytehall of that ilke.
Stewin Boyde of Tempill.
James Cocherane, merchand, burges of Edinbrugh.
Gilbert Achiesone, mercheand, burges thair.
Edward Edger, mercheand, burges thair.
Robert Keith, mercheand, burges thair.
John M'Meithe, mercheand, lait Deane of Gild.
Robert Aikman, mercheand, burges thair.
David M'Caw, merchand, burges thair.
John Flemyng, mercheand, burges thair.
Patrik Baxter, merchand, burges thair.
George Smithe, merchand, burges thair.
Edward Farquhair, marchand, burges thair.
Andro Symsone, marcheand, burges thair.

My Lord Aduocat with the remanent persewaris takis instrumentis of the sweiring of the assyse, and for the verificatioun of the dittay in that poynt anent the steilling of the twa horssis, whilk is the narratioun preceiding the dittay; quhilk steilling, his lordschip declairis is na pairt or point of this dittay remittit to the knawledge of the assyse at this tyme, bot

only as the introductioun and ground of the quarrell and deidlie malice, quhairwith the pannell did prosecute the laird of Frendraucht; produces the criminall letres raisit at the instance of Frendraucht, and at the instance of his Majesteis Aduocat agains the said John Meldrum, Thomas Meldrum of Iden, Robert Dempster and utheris, quhairby and for nocht finding of cautioun actit in the buikis of adiornall for thair compeirance befoir the justice and his deputis in the tolbuithe of Edinburghe upone the tent day of December 1630 yeiris, to haif underlyne the law for the crymes foirsaidis, thay ar denuncet and registrat at his Maiesteis horne as the horning in the selff proportis.

Item, for proving the pannell his deidlie malice consauet agains Frendraucht to have his lyfe, produces the pannell his depositioun ultimo Novembris, 1630, at the mark of the letter D.: quhairof the tennor followes:—"Apud Halyrudhouse, ultimo Novembris, 1630, John Meldrum examinat, depones that he had conference with James Grant outwith the hearing of Alexander Leslie, and that he represented to James the iniurie he had ressawed, and the fear he had that Pitcaple wald leave him; in the whiche caice he desyret James Grant that he wald doe him the favour to resort to his house, and to soupe with him at some tymes, to the effect that Frendraucht myght tak notice of James Grant his resoirt thair, saying that he beleved that if James Grant wald mak schow of his forces upone the deponeris boundis, that it would work his intent with Frendraucht, which James Grant yeilded unto, and promeisst to resoirt to his house and hant upone his boundis as he sould be requyret; and that he wold mak his forces to appeir twyse so mony as they war in number, &c. *Sic subscribitur*, Mr. Gilbert Prymrose."

Item, for proveing of the said deidlie malice agains the said laird of Frendraucht, produces the pannellis depositioun, daitit primo Decembris, 1630, markit upone the bak with the figure 2 at the letter D., "Meldrum reexaminat, grantis that he said to George Spens, that since he could nocht get peace of Fendraucht, who was so crewallie set agains him, that it behoved to coist ather Frendraucht or him thair lyves. *Sic subscribitur*, Mr. Gilbert Prymrose."

Item, for proving the said precogitat malice, produces the depositioun of Johne Cruikschanke in Tocherfurd, daitit 17th January, 1631, markit with the figure of 7 at the letter f.f., quhairof the tenour followis:—"Apud Halyrudhouse, xij January, 1631, in presence of my Lordis, Chancellour, President, St. Androis, Previe Seall, Murray, Lynlytgow, Wigtoun, Bishop of Dumblane, Clerk of Register, Advocat, Justice Clerk: Johne Cruikschank sworne, depones, that being employed be Johne Meldrum to cary ane letter to Frendraucht which he boore, that albeit he was ane poore man, yit he was als goode ane man, and had als much courage as he that killed the regent, and with all he gave orders to the deponer to tell Frendraucht, that if he wald keip the conditiones promeist to him befoir Banff and James Leslie, he wald be his servand, and gif nocht, that he wald discharge with him and be alyk with him, and deponis, that eftir taking of the horse Johnne Meldrum directit the deponer to Frendraucht, urgeing the performance of the conditiones, and promeised to restoir bak the horss, and bad the deponer schaw Frendraucht, that gif he did him nocht reasone he wald burne his byres and barneyairdis. *Sic subscribitur*, Mr. Gilbert Prymrose."

Item, repeittis the same depositioun preceiding, maid be John Cruickshanke, for proving of the thraitnings utterit be the pannell agains Frendraucht, togidder with the pannell his awin depositioun maid upone the viij day of December, 1630, in presence of my lordis Chancellour, President, Previe Seall, Wyntoun, Lynlytgow, Lauderdaill, bishop of Dumblane, Lord Erskine, Carnagie, Secretar, Clark of Register, Aduocat. Johne Meldrum of Redhill, humblet upone his kneyis and solempnie sworne, grantis that he hes said that within a schorte tyme thair wald be ane sicker mendis takin of Frendraucht. *Sic subscribitur*, Mr. G. Prymrose. Togidder with the said Johne Meldrum his depositioun maid be him the fyft of Januar, 1631, markit with the fyft figure at the letter ff, quhairof the tennour followis: "At Edinburgh, the fyft of Januar, 1631, in presence of the Erle of Menteith, President, the Erle of Hadingtoun, Lord Previe Seale, the Erle of Murray, the bischope of Dumblane, Sir Archibald Archeson, Secretar, Sir Thomas Hope his Majesteis aduocat, Sir

George Elphingstoun, Justice Clerk. Johne Meldrum, humblet upone his kneyis, and sworne upone his grit and solemne aithe to declair the trewth of suche things as sould be demandit of him, grantis that, in ane discourse with Thomas Meldrum of Iden, he said to him that he wald bring James Grant in the countrie, and als mony Hieland men as wald sup him, Frendraucht, in brooes. *Sic subscribitur*, Mr. Gilbert Prymrose."

Item, to verifie the pannell his meitting with James Grant and consulting with him, produces the pannell his awin depositioun maid be him ultimo Novembris, 1630, markit with the fyrst figures at the lettres A & D, quhairof the tennour followis: "Halyrudhouse, ultimo Novembris, 1630. Johne Meldrum examinat, deponis he met accidentlie with James Grant in William Davidsons hous, quhair he was soupping quhan the deponer cam thair; grantis that he cam out of Pitcaple to Bethishauch, and that his eirand was to sie his horse, being of purpois to haif returnet. Bot he was invited be James Grant to stay and soupe, quhilk he accordinglie did, and staid thair all that nicht; depones that James Grant went away eftir supper; depones that upone the morne, at aucht in the morning, James Grant sent for the deponer to the Mylentown of Dornoche, whither the deponer went, and staid with him till efter twelff hours; and at the letter D., in the same depositioun, deponis that he had conference with James Grant outwith the heiring of Alexander Leslie, and that he represented to James the iniurie that he had ressavit, and the fear he had that Pitcaple wald leave him, in the quhilk caice he desyred James Grant that he wold do him the favour to resoirt to his house, and to soupe with him at some tymes, to the effect that Frendraucht mycht tak notice of James Grant his resoirt thair. *Sic subscribitur*, Mr. G. Prymrose." And thairwith produces for verifieing of thair former meitting the depositioun of the said James Grant maid be him upone the xxix. of Junij, 1631, markit with the 8 figure at the letter A., quhairof the tenor followis: Apud Edinburgh vigesimo nono Junij, 1631, in presence of Hadynton, Lynlytgow, Wygtown, Bishop of Ross, Dumblane, Iles, Lord Carnagy, Naper, Traquair, Secretar, Aduocat, Justice Clerk; James Grant humbled upone his kneyis, sworne deiplie, grantis that the Mononday at nycht efter James Leslie was hurt, the deponer come to Bethishauch of intentioun to haif sene James Leslie, and souped in ane Davidsones housse, and that in a littil eftir the deponer come thair and thay all souped togidder; deponis that Johne Meldrum delt with the deponer to come and resoirt to his boundis, and to make schaw of his forces the better to terrifie Frendraucht, and to draw him to compositioun, and repeittis the former depositioun maid be the said Johne Cruikschank, upone the said 12th of Januar, 1631, markit with the said figure of seven at the said letter f.f., anent the said James Grant his meitting and conference with the pannell, to the effect thairin contenit.

Item, to verifie that the burning of Frendraucht was nocht accidental, uses the depositiones maid upon the twelff of Januar, 1631, be Thomas Burnett of Camphell, Mr. Gilbert Keith, minister, James Blak, George Seatoun, and the said Johne Cruikshank, quha deponis that the bruit of the burning of Frendraucht was going throw the countrie befoir it was committit; and siclyk uses the repoirt maid to the counsall be the commissioneris, daitit the twelff of Apryle, 1631, markit with the figure 11 at the letter E, off the quhilkis depositiones and repoirt above written of the saidis commissioneris, the tenour followis: And first, the deposition of the said Thomas Burnett. "Halyrudhous, xij. January, 1631, in presence of my Lord Chancellor, President, St. Androis, Previe Seall, Murray, Lynlytgow, Wigtoun, bishop of Dumblane, Clerk of Register, Aduocat, Justice Clerk; Thomas Burnett of Camphell, sworne and demandit quhat he hes hard, or knawis concerning the burning of Frendraucht, that he being in Aberdeen, in his sisters house, eight dayis eftir the burning of Frendraucht, and being regraitting to Mr. Gilbert Keith the loise of the Vicount of Melgum, Mr. Gilbert Keith said to the deponer, that, the Fryday befoir the burning, a man being biging a corne stak to Mr. Gilbert, he said to Mr. Gilbert, that befoir Setterday at night the house of Frendraucht would be brunt; and deponis that this was spoken in presence of Mr. Thomas Meluill, minister at Dyce, Andro Burnet, the deponeris brother, and William Garioch of Tilliechetlie; depones farder, that being in Mr. John Reid his hous, brother in law to the deponer, sometime eftir the burning of the house of Frendraucht,

the said Mr. Johne said to the deponer, that Johne Gordoun of Tillislunge said to the said Mr. Johne, that a gentilman's sone of heritage said to him the Fryday befoir the burning, that betuix and Setterday at nycht following Frendraucht wald be persewit be sword or fyre."

Mr. Gilbert Keith, minister at Bourtie, sworne and demandit quhat he hes hard concerning the burning of the hous of Frendraucht, depones, that the Fryday befoir the burning of Frendraucht James Blak, being bigging ane stak to the deponer, he said to the deponer that he had met with Johnne Meldrum, who declaired to him that he had met James Grant sum dayis eftir that he had takin the moneyis fra Udney, and that James Grant [said] that he wald nocht quyte James Clerk sua, and that he wald viseit James Clerk quhan he come up the countrey agane, and that James Grant schaw to Johne Meldrum certane instrumentis quhairwith he said that he wald oppin yettis, durris, and lokkis, and pass throw housses, and depones that he remembers not that James Blak spak ony other thing to him concerning Frendraucht. *Sic subscribitur*, Mr. Gilbert Prymroee.

James Blak, sworne and demandit quhat he knawis concerning the burning of the house of Frendraucht, being humblet upone his kneyis, depones that twa or three dayis befoir the burning of Frendraucht, he forgadderit with Johne Meldrum in George Seatone his house, quho haifing ane hagbut in his hand, and thrawing the vyce of it, he said to the deponer that he had met with James Grant quho had learned him a devyce to oppin yettis and durris; and depones that Johne Meldrum that same day, in the morning, went out of the Mylne of Bourtye, and that he hard be George Seatone, that Johne Meldrum had come thair the night befoir at six of the cloke, and stayed thair all night.

Item, that John Meldrum, [said] the fyre could nocht be raised bot be ane quha was acquent thairwith in respect he has dwelt in Frendraucht ane lang tyme during his feid agains Rothiemay, and that the lairdis ordinarie custome was to ly in the tour for saiftie, and that the panell hes himself grantit that he knew all the secreitis of the house of Frendraucht, repeittis the pannellis awin depositioun, maid primo Decembris, 1630, markit with the 2 figure att the letter E, and repeitis the notorietie that the pannell dwelt within Frendraucht. Off the quhilk depositioun, maid be the pannell the day foirsaid, at the mark and letter above writtin, the tennour followis: "Edinburgh, primo Decembris, 1630, post meridiem. Johne Meldrum solemnelie sworne, re-examinat, depones and declaires that if ever it be fund that he spak of the burning of the house of Frendraucht, that he will tak the cryme upon him, &c. *Sic subscribitur*, M. G. Prymrois."

Item, that John Meldrum, immediatlie eftir the fact was publictlie committit, and diffamed that he was airt and pairt of this cruell burning, repeittis the notorietie of the cuntrie, togidder with the act of Counsell, markit with the figure of foure at the letter A. Off the quhilk act of counsell the tennour followis: "Apud Halyrudhous, quarto Novembris, 1630. Forsamekill as the lordis of secreit counsall ar informed that thair is dyuerse pregnant presumptiones against Johne Meldrum in Reidhill, William Murray, Robert Wilsone, and Robert Reidfurd, his servandis, that they haif bene upon the knawledge, counsall, devyce, and execution of that most barbarous, inhumane, and tresonabill fyre raising within the place of Frendraucht, quhair John Vicount of Melgume, the laird of Rothiemay, and some uther gentilmen, war crewallie brunt thairin, in the month of October last; and quhairas that the tressonable attempt committit within the said place of Frendraucht, and upone the innocent persones of the saidis Vicount of Melgum and laird of Rothiemay, it is without example and deserves maist exact tryell: Thairfoir, the lordis of secreit counsall hes gevin and grantit, and be the tennour heirof gevis and grantis full power aud commission to George Lord Gordoun, William Lord Hay, and Sir Robert Gordoun, knycht barronet, coniunctlie and severallie, to pas, serch, and seik the said Johne Meldrum, Williame Murray, Robert Wilsone, and Robert Reidfurd, his servandis, quhairevir thay may be apprehendit; and to bring, exhibeit, and present thame befoir his Majesties counsall, to be examinat upone the said cryme as accordis. And gif it sall happin the saidis persones, or ony of thame, for eschewing of apprehensioun, to flee to strenths or houssis, with power to the saidis commissioneris, or ony of thame, to follow and persew

thame, and to requyre and chairge thame, in his Majesteis name, to render thameselffis to the saidis commissioneris; and gif thay sall refuiss to be taken, and mak oppositioun or resistance to the saidis commissioneris, by keiping of the saidis strenthis and houssis or utherwayis, with power to the saidis commisssioners to mak oppin durris, and to use his Majesteis keyis, and gif neid beis to raise fyre, and to use all kynd of force and warlyke ingyne that can be had, for apprehending of the saidis personis being thairintill; and gif in persute of the saidis personis, thay refuseing to be tane, thair sall happin fyre raiseing, slauchter, mutilatioun, or ony other inconvenient quhatsomever to follow, the saidis lordis decernes and declairis, that the same sall nocht be imput as cryme or offence to the saidis commissioneris, nor persones assisting thame in executioun of this commissioun, and that thay nor nane of thame shall nocht be callit nor accuset thairfoir, criminallie nor civillie, be ony maner of way in tyme cuming, nochtwithstanding of quhatsomevir actis and constitutiones maid in the contrair. Quhairanent the saidis lordis dispenssis be thir presentis, and generallie all and sundrie thingis touardis the apprehensioun of the saidis persones to doe and use, quhilkis of ye law or consuetude of this realm are knawin to appertene; Firme and stable halding, and for to hald, all and quhatsumevir thingis sall be lauchfullie done heirin; and the saidis lordis declairis, that gif the saidis John Meldrum, William Murray, Robert Wilsone, and Robert Reidfurde, will compeir befoir the saidis lordis, and clear thameselffis of this tresonabill cryme, that they sall nocht be troublet for ony uther caus, and sall nocht be wairdit for ony hoirnings uset agains thame, bot thairin sall be free to cum and gang at thair plesour. Extractum, &c" *Sic subscribitur*, J. Prymrose.

Item, to verifie that John Meldrum eftir his first examinatioun, quhilk was upone the last of November, 1630, and eftir the secund examinatioun, quhilk was upone the first of December thaireftir, did schamefullie lie, varie, and contradict himselff, repeitis the act of counsall, 2 Decembris, 1630, markit with the figure of 4 at the letter C. of the quhilk act, the tennour followis:—"Apud Halyrudhous secundo Decembris, 1630. Forsamekill as John Meldrum in Reidhill, and Richert Mowat, servitour to John Leslie, younger of Pitcaple, being examinat be the lords of his Maiesteis Previe Counsall upone certane *particularis concerning the burning*[a] of the house of Frendraucht, quhairin thay haif schamefullie vayreid and contradictit thame selffis in thair depositiones, necessar it is for the better tryell of the veritie and cleiring of the treuth of the saidis depositiones, that thay may be confronted with Mr. Patrick Cheyne of , Patrick Leslie, guidman of the Iden, Williame Caddell, John Dumbrek, &c., which persones can give best licht and evidence for and agains the said Johne Meldrum and Richerd Mowat, tuiching the treuth of the depositiones maid and affirmed be thame, for quhilk purpose ordains lettres to be direct, chargeing the saidis persones to compeir befoir the saidis lordis upon the xxij day of December instant, to beir leill and suthefast witnessing in so far as thay knaw or sall be speirit at thame, tuiching the treuth of the depositiones maid be the said John Meldrum and Richerd Mowat, under the pane of rebellioun, with certificatioun. Extractum &c. *Sic subscribitur*, J. Prymrois." And farder, my lord advocat condiscendis upone thir particuleris, quhilkis ar maist substantiall, viz., that John Meldrum quhan he appeired befoir the counsall upon the last of November, 1630, come prepared to condiscend on all the places quhair he had bene aucht dayis preceiding the burning, and gaif in to the lordis ane note all written with his awin hand, markit with the figure 16, quhairof the tenor followis:—The testimonie of Johne Meldrum of Reidhill, quhair he was the dayis and nychtis following. Item, the last of September last, 1630 yeiris, he was at Turray, as the minister and utheris can testifie, and the said night in Blackhillis, as the guidman and utheris can testifie, and from that he raid by Delgatie and Tolly, and was the first nycht of October in Robert Abercrombie his hous at the mill of Pitmedden, as the guidman himself and utheris can testifie; the thrid night in the New Mylne of Logie, as Petcaple and utheris can testifie; the fourt night in Bethtshauche, as the guidman and utheris can testifie; the fyft nycht in Auchorteise, as Johne and James Heatleis and utheris can testifie; the saxt nycht

[a] The words in italics here and elsewhere are underscored in the Record.

at the Mylne of Bourtie, as the guidman and utheris can testifie; the sevint nycht in Auchinheve, as the guidman and utheris can testifie; the aucht night in Pitcaple, as the laird and John Fraser, chirurgane, and James Cheyne, Robert Dempster, the lairdis of Boquhain and Delgatie, and utheris can testifie; the nynt and tent nychtis thair also; and the said John Meldrum being interrogat be the saidis lordis gif he had bene in Pitcaple, quilk was the auld laird of Pitcapillis dwelling, or at New Mylne, quhilk is the young lairdis dwelling, upone Tysday befoir the burning, quilk day young Pitcaple raid to the Boig, he deponit that eftir he had recollectit himselff, and being sworne be his grit aithe, declairit that he was nather in Pitcapill nor New Mylne quhansomevir Pitcaple raid to the Boig, conforme to that part of his depositioun maid primo Decembris, 1630, at the letter B., off the quhilk depositioun the tennour followis:—"Apud Halyrudhous, ultimo Novembris, 1630, The whilk day Johne Meldrum of Reidhill, and Richerd Mowat, servitour to Johne Leslie younger of Pitcapill, being examinat be the lordis of his Maiesteis Previe Counsall concerning the burning of the house of Frendraucht, and thair depositiones being hard and considderit be the saidis lordis, they fand sufficient ground and cause for detention of the saidis persones heir, to be furthcumand to thair farder tryell and examinatioun heirefter; for which purpose the saidis lordis ordainis, in regard of his present indispositioun to travell to the tolbuth of Edinburgh, be reasone of his hurt in the thighe, to remane this night in the hous, and company with George, Erle of Wintoun, till farder ordour be tane with him, and ordains the said Richerd Mowat to be committit to waird within the tolbuith of Edinburgh, thairin to remane till he be releved be the saidis lordis; notwithstanding quhairof, Richerd Mowat and Alexander Leslie being examinat conform to Richerd Mowat his depositioun, 30th Novembris, 1630, figura 13 at the letters C and D, and by Alexander Leslie his depositioun, markit with the figure 14 at the letter C, of the quhilkis twa depositiones the tennour followis:—"Halyrudhous, ultimo Novembris, 1630, the quhilk day, Richard Mowat being re-examined and sworne, depones that John Meldrum brak his fast with the deponer at the New Mylne the day quhan he and his maister went to the Boig of Geicht, which was upon the Tysday before the burning of the house of Frendraucht, &c., depones he hard at the New Mylne, by ane boy of Baithischauch, that James Grant was thair, which the deponer tauld to John Meldrum in Pitcaple, &c. *Sic subscribitur* Mr. Gilbert Prymrois." "Ultimo Novembris, 1630, Alexander Leslie, brother to Pitcapill, being sworne and demandit gif he was at New Mylne that Tysday when Pitcapill went to the Boig of Geicht, depones that he was present, and that John Meldrum brak his fast with him, as he beleves, &c. *Sic subscribitur*, Mr. Gilbert Prymrose."

Item, ane uther absurde lie and contrarietie and mair gross, quhairin he deponit that he met with James Grant accidentlie in Baithishauche, and that his eirand was to get his horss whilk was in Baithishauch, and that Richard Mowat had told him that his horss was there, and that he knew nocht that Alexander Leslie of Achrosk was thair; albeit it is constant be Richerd Mowat, quha deponis that he tauld Johne Meldrum, being in Pitcaple, that James Grant was in Baithishauch, and that he himself convoyed Johne Meldrum fra Pitcaple to Baithishauch; and, sicklyk, denyit be his grit aithe that he spak ony thing to Johne Meldrum anent his horss being in Baithishauch; upon quhilk depositioun, Johne Meldrum is thaireftir forced to confess that Richard Mowat tauld him that James Grant was in Baithishauche, and that Richerd Mowat convoyed him thither; albeit the said John Meldrum still abaid be this, that Richard Mowat tauld him that his hors was thair. Quhairupone he and Richerd wes confronted, and they remanet contrair. But nochtwithstanding of this contrarietie, it standis provin be the pannellis confessioun, that Richard Mowat tauld him that he knew of James Grant his being in Baithishauche, and sua was nocht accidentall; and, sicklyk, the maner of his meitting with James Grant appeiris nocht to be accidentall, but upone purpois, for Johne Meldrum grantis that he conferred with James Grant that night, and went to James Grant upone the morne to the Mylne of Dornoche, and conferred with him the secund tyme; and quhair he went with him the secund tyme he went upone the morne, upone his first conference, to New Mylne, and tauld young Pitcaiple that James Grant was thair, and that he met with him, and thaireftir he

went the secund time to James Grant. And, siclyk, the matter of the meitting cleiris it was nocht accidentall but upone purpois; for James Grant be his depositioun grantis that Alexander Leslie and Johne Meldrum come to him that nycht and complenit and regraittit of the wrongis done, and war verrie bent upone ane revenge, and had ane purpose to enter in bloode, and desyred James Grant his assistance; and albeit Alexander Leslie and John Meldrum, be something uncleir in expressing the conference quhilk past betwix thame and James Grant, sometymes it was only agains Conland, wha had hurt James Leslie, and sometymes that Johne Meldrum craved only of James Grant to hant and frequent John Meldrum his hous and boundis, that Frendraucht mycht be terrifeit, yit that can nocht excuse the plott, becaus Johne Meldrum had said of befoir to Iden that he sould bring down James Grant and as mony hieland men upone Frendraucht as wold sup him in brooes, and this conference following, it most be reuled according to the first; and sicklyk thay all accoird that James Grant refuised to assist thame, or to take ane new feid quhill he had revenget Carrones blood. Eftir quhilk, Johne Meldrum yit insisted with James Grant that he and his company wald frequent his boundis, quhilk could be to no uther end bot that the plote of the burning, quhilk followit within thre dayis thaireftir, and sua behovit to be alreddie begunne, might goe coverit under the name of James Grant, as his deid.

The following depositions were also used as evidence against Meldrum:—

"Apud Edinburgh, vigesimo nono Junij, 1631, in presence of Hadyngtoun, Lynlytgow, Wigtoun, bishop of Rois, Dumblane, Iles, Lords Carnagy, Naper, Traquair, Secretar, Advocat, Justice Clerk, &c. James Grant humblet upone his kneyis, sworne deiplie, grantis that the Monday at nycht after James Leslie was hurt, the deponer come to Bethishauch, of intentioun to haif seene James Leslie, and souped in ane Davidson's house, and that a littill eftir the deponer come thair, Alexander Leslie lighted, and schortlie thaireftir John Meldrum come thair, and they all soupped togidder. Demandit quhat discourse past betwix him and Alexander Leslie, deponis that they regrated and complened of the wrong done to James Leslie, and were verrie bent upone revenge, and had ane purpois to enter in bloode, and desyret the deponeris assistance, bot denyis that euir thay maid ony motioun to him of the burning of the laird of Frendraught his house or coirnes, &c. Depones that Johne Meldrum delt with the deponer to come and resoirt in his boundis, and to mak schaw of his forces the better to terrifie Frendraucht, and to draw him to compositioun, which the deponer refuised to doe, in regaird of his awin trubles, and he was discharged be Rothiemay and utheris of the name of Gordoun, to meele or haif ane hand in ony thing that might offend Frendraucht. Deponis that eftir supper he went to the Mylne of Dornoche, and that upone the morne Johne Meldrum come to him and had the former discourse, and was verrie instant to haif had him to his house that nycht Depones they dynet togidder, and sinderit about twelff hours of the clok, &c." *Sic subscribitur*, James Grant.

Item, by this, the lordis of secreit counsall be thair actis, daitit the thrid of Februar, 1631, and first of Apryle, 1631, hes fund the *indices* aganis Johne Meldrum to be so grave and weghtie, that thay haif ordeinit him at thaise tua severall tymes to be putt to the tortour of the buittis, and albeit the counsall was pleased to superceid the tortour at theise tymes, yit it was evir upone the schifting and excuseing of the said Johne Meldrum, for first, quhan he was to be tortouret, he allegit to the lordis quhatevir he had spoken was by way of thraitning, to the effect he mycht [bring] Frendraucht to haif gevin him ane compositioun, and for this caus affirmed befoir the lordis, that he was advyset thairto be Frendraucht his awin freind, and warnet Lesmoir elder, Frendrauchtis awin uncle; be occasioun quhairof the lordis of secreit counsall send for Lesmoir, quha being ane barrone and gentleman of knawin integritie, and deiplie sworne, deponit, that he never counsallit John Meldrum to boist that he wold stik or burne; and sicklyk at ane uther tyme, he schifted the tortour be allegeing of his disease, and affirmed that, gif he war tortoured, he wald say ony thing thay pleased; and for verifeing heirof, repeittis Johne Meldrum and Lesmores depositiones in

July, 1631, figura 9. 7th July, 1631, the quhilk day John Meldrum being demandit quhan and how he ressauit his hurt, depones, that being upone the heid of the companie, he was at the first recounter hurt in the theigh, and thaireftir haifing cum bak to the releif of George Gordoun, who was left by the companie nochtwithstanding that the deponer cryit to thame to cum bak, and no ansuer being maid, the deponer going to help up George Gordoun, he was schote in the right arme: grantis the ressait of twentie-thre dollours, whiche he spent, togidder with eight bollis meill, ane boll of malt, and depones that he ressauit only tua dollours fra Dauid Seatoun: grantis that he said oftin tymes that he had so grit intelligence in Frendrauchtis house that he could speik nothing in his bed chalmer bot he wold be adverteist of it, bot denyis that thair was ony suche thing trew, and that he utterit suche speiches only to terrifie Frendraucht, and to draw him to compositioun.

Item, upone the night befoir the burning, John Meldrum come to the laird of Banff to Legatisden, and in presence of Andro Baird, bailzie of Banff, desyret Banff to deill with Frendraucht to forbeir all proceiding against him befoir the Erle of Murray, liuetennant of the north, for the steilling of the horss, to the quhilk Banff condiscendit gif John Meldrum wald interpone himselff, and procure assureance betuixt Pitcaple and Frendraucht. To the quhilk John Meldrum answerit, my business most be presently done, and gif it is nocht to be takin order with, thair will be ane evil turne done to Frendraucht, quhilk will nocht be mendit; and Banff haveing demanded what wald be done against Frendraucht, John Meldrum answrit that he wald be burnt, and Banf replying who wald burne him, Johnne Meldrum replying the secund tyme that he wald be brunt; whilk is provin by the laird of Banff and Andro Baird thair depositiones, maid 12th January, 1631, figura 7, letteris A & C. Followis the tennour of the saidis depositiones: "Halyrudhous, xij. January, 1631, in presence of my Lordis Chanceller, President, St. Androis, Previe Seale, Murray, Lynlytgow, bishop of Dumblane, Wigtoun, Clerk of Register, Aduocat, Justice Clerk; Sir George Ogilvie of Banff, knycht, sworne and demandit quhat he knawis of Johne Meldrum; deponis that the nycht befoir the burning, the deponer being in Legatisden, Johne Meldrum come thair about the sone set, bot went away befoir supper; and that Andro Baird haifing movet the deponer to speik with John Meldrum, the deponer yeildit thairto, quhairupone John Meldrum desyret the deponent to deill with Frendraucht, to forbeir all proceiding agains him befoir the Erle of Murray, which the deponer promeissed to doe gif John Meldrum wald interpone himselff, and procure ane assurance betwix Pitcaiple and Frendraucht; quhairunto John Meldrum answeirit, my business most be presentlie done, and gif it be nocht takin ordir with, thair will be ane evill turne done to Frendraucht, quhilk will nocht be mendit; and the deponer haifing demandit of him quhat wald be done against him, Johne Meldrum ansrit that he wald be brunt, and the deponer haifing replyit who wald burne him, and that he houpped that James Grant wald nocht be the doar of it, for he repented his last cuming within the countrie, Johne Meldrum ansrit that he wald be brunt without nameing of ony persone. Andro Baird sworne, deponis that being in Legatisden with Banff and Johne Meldrum, he hard John Meldrum say to Banff, that thair wald be ane evill turne schortlie done to Frendraucht, and Banff haifing demandit quhat it was, Johne Meldrum answeirit that he wald be brunt, and Banff haiveing inquyret quho wald doe it, saying that James Grant wald nocht doe it, for he repented his last cuming in the cuntrie; quhairunto Johne Meldrum answeirit, I know nocht who will do it, bot he will be brunt." *Sic subscribitur*, Mr. Gilbert Prymrose. "Apud Halyrudhous, primo Februarij, 1631, Sir George Ogilvie of Banff re-examinat anent the speiches that past betwixt him and John Meldrum in Legatisden, the night befoir the burning of Frendraucht, depones that eftir Johne Meldrum had schawin to the deponer that thair wald be ane evill turne done to Frendraucht, and that he wold be brunt, the deponer desyret Johne Meldrum to continew till the morne at nyne houris, to the effect he might knaw if he could haive ane assureance frome Pitcaiple, and than he wold doe Johne Meldrum his turne, quhairunto Johne Meldrum answeirit, your bussines may stay for ane tyme, bot myne can ressave no delay; demandit quhat he has hard tuiching Johne Tosche, deponis that he is informet that in all places quhair Johne Tosche hes dwelt he hes evir

kythed to be evill conditioned and ane slyme youthe, and that gif the house was brunt be those that war within, he wald suspect Johne Tosche to be the actour rather nor ony uthir, bot knawis nothing of his guiltines of that fact. *Sic subscribitur*, Mr. Gilbert Prymroise." And the persewar uses thaise depositiones for tuo ends, first to verifie that Johne Meldrum spak of the burning of Frendraucht; he thairfoir must be hald as doar. Item, it is uset as ane severall and maist violent, nocht only presumptioun bot probatioun, *per se*, that John Meldrum was to be actor, or art and part of the burning, becaus he determines the tyme of it within twelff horis befoir it fell furthe, and according to his denunciation it fell furthe indeid, and it most be his deid, becaus himselff grantis that gif he war nocht satisfeit presentlie the deid wald be done or nyne houris on the morrow, and gif Banff had agreed to haif gevin him presentlie satisfactioun for Frendraucht, the deid wold nocht haif followit, quhairby in effect he grantis that the doing and nocht doing was in his power.

Last, the persowar produces Johne Cruickschankis depositiones for verifeing of the last presumptioun, quhairby he deponet, being *in articulo mortis*, that that nycht that Frendraucht was brunt, he saw Johne Meldrum betuix Frendraucht and Blackfurde, four myle thairto, according as the depositioun proportis,; quhilk depositioun was maid in presens of tua bailzeis of Edinburgh and thre ministeris, and Gilbert Acheson, quho is ane of the assyse, was one of the bailzeis, who will depoine that the poore man deit penitent, and with ane confident assertioun that he saw Meldrum; and in respect of the evidences and manifest presumptiones and wechtie *indices* and probationes quhilkis comprehendis all the *indices* that can be in any fact of this nature, quhilk is committit clandestine, and in the night, and that it is accoirdit in the dispute betwix the persewaris and the pannell and his preloquitoris, that be the law, grave and weightie presumptiones ar sufficient condemnatioun, seing it is impossible that the samyn can be provin be eiesight, and that it is the universall custome in such crymes to proveide in all pairtis of Europe, and confirmed be the practice of Scotland in the matter of Auchindrane for the slauchter of the tutour of Cassilis; thairfoir protestis that in caice ony of the assyse shall be so forgettful of thame selffis, as God forbid, as to acquit or clange the pannell, for wilfull errour.

Mr. John Gilmour, one of the counsel for Meldrum, brought forward objections to the evidence of several witnesses for the crown, and in regard to the testimony of Cruickshank, who deponed that he saw the pannell riding past Tillymorgan in the direction of Frendraucht, on the night of the fire, his counsel attempted to prove, by Sir Alexander Hay and Mr. Patrick Cheyne, that Meldrum was, at that very time, and during the whole night, in the house of Pitcaple.

As to Cruickschankis depositioun for proveing of the threatening, opponis our former answeris, and yet it is cleir that this is bot ane naikit thraitning to haif gottin satisfactioun for his loissis, quhairupone nane can infer the cryme; and as to James Grantis depositioun, the lyk is also cleir, that he consulted only with him to come and soupe with him, and shaw his forces only, to work his intent, quhilk intent can nawayis be constructed bot for the satisfactioun.

As for the burning, quhidder it was accidentall or of purpois, it makis nothing agains the pannell, quho had no sic purpois.

And as for the pannellis knawing of the house so weill, and secreitis thairof, it is answeirit alreddie that thousands knew it better than he.

As for the diffamatioun of the pannell, referris that to the inqueist, quhidder ane grund or nocht; and how many mae was deffamed, yea, Frendraucht himself, and if evir this man was defamed thairwith, it is cleir it was be that damned fellow Cruickshank, quha in presens of tua ministeris, under his awin hand, hes declaired that he was moved thairto be James Clerk, Frendrauchtis awin servand, quha promeist him guid deid.

As for the leyis for the quhilk the act of counsall is repeittit, the leyis (as ar cleir) ar bot

verrie slicht and waik, and quhilk mycht have fallin *in constantissimum hominem*, quha might forget himselff, especiallie being thingis quhilk concernes nocht the fact.

As for that particular lie that is allegit, that, contrair to his depositioun gevin in be his awin hand, he hes declairit that he was nather in Pitcaiple nor New Mylne quhan Pitcaiple went away, answeris he might easilie forget that perticuler; *secundo*, he might have been in aither of thaise pairtis all nycht, and also in some pairt in the day, but nocht quhan Pitcaiple went away.

As for that perticuler anent his accidentall meiting with James Grant, and his confronting with Richard Mowat, makis no answer thairto.

As for the secreit counsallis warrand to tortour upone the presumptiones, repeittis the former answeir, and addis, that thair ordinance was to pannell John Meldrum in caice nothing sould be gottin out of Tosche eftir tortour; and albeit thair had bene some presumptiones to tortour him, quhilk was nevir done, for reasones knawin to thair lordshipe, yit it can nocht be thoght that thaise presumptiones sould condamne him.

As for Lesmoir, repeittis the former answeir and informatioun gevin to the assyse by word.

As for his Maiesteis letter, quhilk in all submissioun we reverence, it can be no presumptioun agains the pannell, becaus his Maiestie, allanerlie upone informatioun gevin to him be sum pairtie, hes directit the same to the lordis of secreit counsall, nather doith his Maiestie positivelie affirme that thair is ony presumptiones aganist him, bot that his Maiestie is informet, &c., and suche ane letter his Maiestie wad, haif refuiset to nane.

As for the secreit counsallis warrand to put him to tryell, quhilk is allegit most impoirt presumptiones of his guiltines, God forbid we sould interpreit the honorabill lordis thair meaning to be so, bot howevir it be, this warrand is gevin be the secreit counsall upone the impetratioun of thir same persewaris, quhilk could nocht be refuiset to ony.

As for that, beiring that gif the pannell sould be fund to haif spokin, &c. Answeiris as of befoir, that that mycht be interpreit with James Grant and of Frendraucht himself, and the pannell houpes that the inqueist will tak no advantage of such wordis being so cleirit, and quhilk sould be favourablie constructed.

As for Banff, his depositiones anent the pannellis predictiones, first, oppones the answeiris maid of befoir; *secundo* the pannell quarrellis the lybell and the coppie of ane extract producet as disconforme to the principallis; for the lybell and coppie betwix Banffis first depositiones and Andro Bairdis interlaces the secund, as gif the pannell and Andro Baird had condiscendit to both, as the coppie of thair depositioun beiris, quhairas in the principall thair is neer by fyftene dayis betwix Banffis first depositioun and the last, and Andro Bairds depositioun is gevin allanerlie the tyme of the first depositioun maid be Banff.

And as for Banffis last depositioun, it can nawayis be respectit becaus of his connection with Frendraucht; *secundo*, the pannell was nocht confronted with him, and repeittis the presumptiones set down of befoir, and quhairof the inqueist ar alreddie informed against any depositioun of Banffis; and that Banffis depositioun can nocht be respectit, in this business it is cleir, becaus that Margaret Woid hes in tortour, and efter tortour, confessed that Banff seduced hir.

And as for Cruikschankis depositioun, repeittis our answeir, and sundrie depositiones of famous witnessis, quhilk heir the pannell produces under Mr. Gilbert Prymrois hand, quhairby thay haif provin quhair Johne Meldrum was the day eftir the burning, and the nycht of the burning, in bed with Robert Dempster, and quhair he was severall dayis and nightis of befoir. The daittis of the quhilk depositiones of the witnesses, ar the 12th and 21st of Januar, 1631, quhairin thair is conteint sundrie other depositiones foirby, of the quhilkis depositiones the tenour followis:—

Duodecimo Januarij, 1631, Mr. Patrick Cheyne, sworne, depones that upone the Friday befoir the burning he sunderit fra Pitcaiple a myle fra Aquhorteis, and that Richerd Mowat come along with the deponer towardis Leggatisden, and that upone the moirning he come to Pitcaiple about ten houris, quhair he saw Johne Meldrum and Richerd Mowat, and that

the young laird of Pitcaiple was come befoir the deponer come thair, and depones that he querrellit Richerd Mowat for leaving him the nycht befoir.

James Cheyne, sworne, depones that the nycht befoir the burning he saw John Meldrum and Robert Dempster in Pitcaple, and that thay souppet and lay togidder thair, and that the deponer carryeit thair collatioun drink up to thame, and saw thame upone the Setterday in the morning; depones that he saw Richerd Mowat in Pitcaiple upon the Setterday at aucht of the clok in the morning, and about twelff, and souppet thair, and went soune eftir supper.

Apud Edinburgh, 21st January, 1631.—The quhilk day, in presens of the Clerk of Register, Aduocatt, Sir John Scott, and the Justice Deput, Sir Alexander Hay of Delgatie sworne and demandit quhair he was the night befoir the burning of Frendraucht, depones he come to Pitcaiple about ane eftir noine, and went doun to Legatisden to meit the laird of Banff, that he come bak to Pitcaiple about the soone sett; depones that than he saw John Meldrum and Robert Dempster thair, and the deponer raid eftir supper to Bolquhane, and quhan he went thither, John Meldrum gave him his horse; depones he disioynet in Bolquhane on the morne with the laird of Banff and Bolquhane, and that they come all thrie to Pitcaiple afoir twelff houres; depones he saw Robert Dempster, John Meldrum, and Richerd Mowat thair; depones that eftir thay come to Pitcaple, thay stayed all thre upon the grene ane quarter of ane houre, and young Pitcaiple was in Pitcaipill befoir the deponer come thair, and than went all thrie into the house, quhair thay saw Robert Dempster, Richerd Mowat, and Johne Meldrum; and depones befoir he come, Normond Leslie was come with the evill newis, and that he and young Pitcaiple tauld him thairof; depones that he sould haif dynet in Pitcaple, bot becaus Banff was in Bolquhane, thay send word to Pitcaiple that thay wald nocht cum to dinner.

William Hay, appeirand of Delgatie, sworne, deponis that he with his father was cum to Pitcaiple the nycht of the burning and souppit thair, and eftir supper come to Bolquhane and stayed all nycht thair, disioynet in the morning about nyne houris, and come to Pitcaipill befoir twelff. *In cæteris conformis est precedenti.*

Sir George Ogilvie of Banff sworne, depones he was in Legatisden the nycht befoir the burning, and that the guidman of the hous come with Richerd Mowat about aucht houris; depones that the morne about sax houris he saw the guidman of the house, and that he come from Patrik Leslies house to Bolquhane in the morning, and he come frome Bolquhane to Pitcaipill about twelff houres, *in cæteris conformis precedenti*, and depones that he saw Johne Meldrum in Legatisden.

Johne Gordoun, servitour to the laird of Abergeldie, sworne, depones that he went with the laird of Pitcaiple to the Boig, and was with him to his returne, and that upone that Fryday, quhilk was the day befoir the burning, thay come out of the hauch of Aschogill to the Blakfurd, and that as thay come to the kirk of Auchterles, quhilk is thre myles fra Blakfurde, thair went home fra the laird, Patrik Leslie, Alexander Leslie of Elrig, Mr. Patrik Cheyne, and Richerd Mowat; depones he was in Blackfurd the nycht befoir the burning with the laird of Pitcaipill, quho souppit thair with Alexander Leslie his uncle, and lay thair all nycht, and Pitcaipill had na mae servandis with him bot the deponer and ane fute servand, and depones that Alexander Leslie, the lairdis uncle, lay in Blackfurd with the lairds sone of Blackfurd; depones thay come to Pitcaipill the morne about ten houris, and Normond Leslie was thair befoir Pitcaipile, quho tauld the evill newis, depones he saw Johnne Meldrum, Robert Dempster, and Richerd Mowat, and Patrik Leslie thair.

The following address which was read to the assize by Mr. Robert M'Gill, one of Meldrum's counsel, contains all the favourable points of his case, and lays hold of the apparent inconsistencies in that of the crown:—

Guid men of inqueist *et fideles homines patriæ*, be ye so as ye are called in our lawis, and haif God befoir your eis, suppois ye be nocht thease quha be our lawis ar requisite, that is quha sould have best knawlege, that is cuntriemen and nyghtbours, and

ewin the witnessis of the fact, gif the pannel had na lauchfull obiection against thame. Tak guid heid, for this is ane questioun of divinatioun or ghessing, heir put to your consideration, nocht only to try the verrtue of thir dispositiones, and gif thair be no moir in the dittay, head be head, and nothing cassin into ane wrong sense by the meaning of the speikeris, (as that quhair the pannell takis the burning of Frendraucht upone him, gif he spak evir with James Grant thairanent) to be collected out of the proceidings and subsequentis in that depositioun, and utheris of the pannell and James Grant, and not quhat was spokin anent that with the laird of Banff, not only say I that ye most try this things, bot also ye most be judges to the relevancie or probabilitie of the presumptioun resulting, and gathered out of thir depositiones, with ane respect and relation till the presumptiones to be adducet be us. Give out your sentence according to law, (quhilk is reasone) and understand that the more powerful presumption in hid things is that quhilk is more meik and benigne. Item, that quhilk makis for the defender, that quhilk is most liklie, and aggreis best with probabilitie, and quhilk proceids out of the nature of the deid itselff immediatelie afoir, in going to doe it, in the doing of it, and in the tyme neir subsequent, is moir powerfull nor the presumptiones accidentall, that is, without the quhilk the deid might consist, being done be ane uther, and with the whilk it micht nocht bene done at all, (suche accidentarie a presumptioun is callit be the laweris to be an unfreind, and to use thraitnings bruited is far les, suche as many unfreindis hes uttered of a suddane passioun of thair mynd, quhilk to put in practise thay nevir had a mynd). Item, the impossible presumptiones preferred to the possible, and the negative to the affirmative. This is Menochius de Arb. Jud. Cas. 472, per totum, a man that had more understanding in thir matteris than we have all, (advyse with my lord justice selff). Now, I allege that howsoevir thraitning, yit he had nather a mynd to burne, nor was it able for him to doe, nor yit did he it, quhilkis ar the only things to be considered in ane coniecturall cause, quhilks comes nevir neir the deid as oures doith, bot ar all esteemed far remote be laweris, and our presumptiones ar far stronger than any that can be adducet in the contrair. First, that he had not suche ane mynd, because gif he had such a mynd, be all liklie he wald communicat with James of Grant, ane incendiarie man, suche ane purpose, quhilk he did not, as in James Grant his depositioun is cleir; bot to have communicatit with the laird of Banff, quha was *alter ego* and the laird of Frendraucht himself was a cleir naked threatning *sine animo*; quhairfoir sould I tell a man that I will doe him ane evill turne in so flagitious a sort, gif I haif any worldlie mynd to doe it? quhairfoir went not Banff straight way to tell gif he tuik it for ought but thraitnings? and I think in thre houres he might haif ridden ten or twelff myles, and sould have done it till adverteiss his so deir a freind. Quhairfoir was thair not watches set upone his repoirt gif the tyme was so peremptorilie set down as wald mak seeme Banfis last depositioun abstracted frome ws, quhill this last day, bot set down so premeditatlie, *et ex post facto*, and of a deliberat purpoise, and as is repoirted uttered first at the buird of Seatoun, and sa *proditum testimonium*, quhilk is not receaveable of the law, bot fact is that Banff himselff thoght not that the pannell had such ane mynd, quhairfoire than sould your wisdomes think it, especiallie seing quhat benefeit could this poor gentleman haif had? Would this haif healed his wounds, or restored his horse slane in the laird of Frendrauchts service, or bene ane recompence for the hazard of his life? Or would it nocht mak the laird more unhable to geve satisfactioun, yea also to irritat his wraith more against him in committing (as is alledged) so hainous a fact, quhair the matter was verrie meane of befoir? Than had this pannell na terror of conscience, quha was terrefeid for taking away, sone eftir mid-day, a horse as a pledge for his recompance, or rather a reparatioun for his horse slane in that rencounter with the umquhile laird of Rothemay (quhair the said pannell was with Frendraucht, nevir having bene in his service befoir)? Would he haif come in upone a protectioun for that so willinglie (and not be virtue of the comissioun as is alledged) gif he had been guiltie of this so hainous a fact, quhair men of suche ane place were so grevouslie tormented unto death? Know ye not quhat exquisite panes wald be prepared for the doearis? Quhairfore did he not flie rather fra thir pairtis of the world, quhairsoevir the power of the wronged (quhilk

is verrie grit) did reach or extend to, especiallie seing he had sic tyme and space as betwixt the aucht of October and the fourt of November thaireftir, being neir ane moneth? O the great power of the conscience (judges)! O the great power of conscience on both thir two pairteis! that nather thay ar affrayed quha has done no wrong, and thay quho has failzeid in such detestabill a kynd thinkis evir that thay sie the pane befoir thair eyis, becaus the flagitious deid is evir send fra the mynd to possess the fantasie. And the pannell wishes in all submissiue humilitie of a vyle creatour, that Almyghtie God (blessed for evir) mycht kythe some miracle on him as he has done of upone utheris, gif evir he did that fact, or was airt or part of the doeing, and these ar the trew presumptiones that he had nocht a mynd thairto. *Secundo*, that possiblie the pannell could nocht have done it, he urges that the repoirt maid be crowner Bruce be used as ane pairt of this proces; be the quhilk it is constant that ane without could nocht do it without help within; and quhat probabilitie that the pannell, being the lairdis grit ennemie, (as is allegit) sould have intelligence with anie within the laird of Frendraucht his house, quha wald not reveill the purpois to the laird, far les wald be ane cheiff actor, ane principall burner, than thay that war within (as is alleged) sould haif knawin better that the laird of Frendraucht did not ly that nycht in the toure, bot suche noblemen for quhome the pannell wald have spent his bloode. And to come to the volt, is it possible that the man to quhome the laird did intrust his meill arkis, and uther provisiones thair, wald haif had suche correspondence with the pannell; and gif he had, quhairfoir tuik he him not directlie to the place quhair the laird lay. Bot to dispute now as gif the repoirt war not, consider the soleidnes of the wall and cloisnes. Gif thair was ony slitt thairin it was verie narrow, and the wall ten footes thik or thairabout, (now ye sie, guidmen of inqueist, how necessar it is that the assysors sould haif bene countrie men, quha could have knawin thir thingis best), sua that nather could a man without weild his hand weill to cast, put, or schute in combustable, or kindle the same quhair it fell; but some in the dark wald haif escaiped the imputter and fallin be the way, (the wall being ten footes thik) and wald have come bak be that same slitt, quhairof grit vestiges wold haif bene fund evin without, (quhilk was not, nather can ye of the assyse knaw, ye nocht being of the countrie.) Then quhat possibilitie to weild ane speir throw a slitt ten foot thik, and so narrow to mak ony thing tuiche the hoill of the volt, that is alledgit to be under my Lord of Melgum his bed, without directioun within, (and is alreddie cleired not to haif bene.) Then the force of the powder and that uther matter, gif it had fallin neir the meill arke, it had broken if not brunt thame; and if it had not come back to the slitt (as liklie it wold, becaus it could nocht ly far frome it for the uneasiness of the inputting of the same, as said is), at leist going to the hoill or O in the volt it sould haif brokin the ladder, and being redactit *in angustias*, that is to ane grit straitnes, it wold haif blown up some of the volt neir the hole or O with ane grit noyse, and my lord Melgum to haif bene first slane befoir brunt; quhair only the constant repoirt is, that thair was ane grit smoiking befoir he did awaek baith in his chalmer, and the uther quhair a boy was suffocat, and gave him libertie to put on his clothes, and be the will of God went up the stair quhair he sould haif cum doun; quhilk also wald haif bene better knawin to ane assyse of cuntrie men thair, *qui optime scire presumuntur*. *Ergo*, it is not probable nor possible that the pannell could haif done this detestable fact, nor na uther for him, for the quhilk he mycht be accused as airt and pairt; the quhilk thing of airt and pairt can not be the *ordor naturæ* be tryed be your wisdomes heir, quhill first God cleir all the mistie cluddis of our coniectours, in reveilling and schawing the principall actours; and that the pannell was nocht principall actour of this bussiness it is cleir, becaus be the depositioun of sindrie honest and certane witnessis, it is provin that he went verrie lait to bed that nycht, and was sleiping in the moirning in the laird of Pitcaipill his house, distant fra Frendraucht ten or twelff myles, and by that his lyfe, remaining, and cayriage tryit and maid knawin haill aucht dayis of befoir, to understand gif ony such matteris had bene provydit be him. and is nocht fund to haif purchessed ony. Bot to goe on and put the caice that he mycht haif bene transported suddantlie fra ane remote place to ane uther in a schorte space; out of quhat pairt tuik he the combustable matter? Was thair no complice tane out of the house quhair he lay? or rather, did he not (if he had

such a devillisch disposition) evin pluk af his awin sark gif he could haif apprehendit that it wold have releaved him? Fand nane him to go out? Did not the durris nor yettis of the house geig and mak a noise, or how was the yet of Pitcaple opined? Fand nane him to returne? Did nane meit him? Did nane sie him bot a vacillant, variant, contradictorie villane, what was scurget and brunt in the cheik for the same, and thaireftir being tane for ane uther cryme, was pannalled and condemned, quhilk is such a inhabilitie as nevir a lawer could dreame of? and sall his testimonie, eftir his condemnatioun, availl aught, and quhair that condamned villane, Cruikschank be name, sayis in his depositioun that he saw the pannell in the glomeing, and nocht in the nycht as the dittay beiris, it is provin cleirlie that he was with Banff till afoir supper, and than provin be a number of gentillmen that he was at supper and went to bed. Then he depones that thai war rydeing to Pitcaipill. Item, thai war ane number of horss, unliklie preparatioun for such a bussines. Also he might weill be refuited be your wisdomes, as that uther be the Amphictiones who testified that he saw in the night Alcibiades, and kend him casting down the statue of Mercurie at Athens; bot to leave him in his darknes I go on and speiris, how ran the pannell so quikly ten or twelff myles (quhair Banff in a gritter tyme could nocht get his freind adverteised) *etiam cum tot impedimentis*, and burdenis that he behoved to have, gif the dittay be trew? Went he on foot or horse? Quha hald the hors? Quhair also was the combustable matter coft? In quhat mercat or buithe, or fra quhome gottin? Quha caryeid the fyre? How did the combustable matter so wall or joyne with the fyre, and gif thair was tynder buist, quhair or how gottin? How had the pannell all this laisour and tyme to set all thir thingis in ordour quhan he come to the slitt? Saw thair no man him neir to the hous of, neir the wallis thairof that nycht? Was thair no dyn nor crak hard? No dog to bark (*et nullus anser qui interstrependo, capitolium illud servaret*)? And I think servandis might haif had bussines aneuche to mak thame awake that nycht for intertening of suche ghaistis? Was the pannell tane in the deid doing? Was he sene flie with yet hett brandonis, as the man quha committis a slauchter secreittlie in ane house is challenget cumming out with ane bluidie sword all pale and trymbleing? Or was he astoneished quhan he first repoirt? Or evin quhan he come befoir the lordis of counsall so willinglie, was he ony wayis abasched bot for corporall debilitie? No, no, thair was no such thing, bot the poore gentilman was sleiping in Pitcaipill that night, quhilk is be all esteemed ane grit taiken of ane quyet mynd, as in that of Clælius bairnes repoirted be Cicero, pro Ros. Amerino, sua that the pannell did not this detestable deid. Farder, it will pleis your wisdomes considder quhat danger this toun is oft in throw baikings, quhair the harth being too hett kindles ofttymes the geistis beneth, as be all likliehood the grit fyre in Rothiemayis chalmer (whilk was immediately above my Lord Melgwmes) being oft eiked, hes so hett the hearth and kindled the geistis that at last thay have tane neid fyre, and eftir long smoiking at last hes burst out. *Ergo*, in respect of thir presumptiones, quhilk ar mekill stronger for the pannell, for the reasones and caussis befoir mentionet the pannell aucht to be assoilzeit and acquit of the burning, or of airt or pairt thairof.

The Lord Advocate then produced and read the following decreet of the lords of Privy Council against Meldrum "to mak knawin to the assyse the pannellis former insolent and wicket lyfe."

Thaireftir, to mak knawin to the assyse the pannallis former insolent and wicket lyfe, my lord aduocat producet ane decreit of the lordis of secreit counsall gevin agains him, at the instance of Patrik Cheane, for the iniurie thairin contenit, and quha, for his nocht compeirance befoir the saidis lordis, is ordanit to be denuncet his Maiesteis rebell, of the quhilk decreit the tennour followis: "At Halyrudhous the saxtene day of Februar, the yeir of God jaj vi^{c} and threttie yeiris, anent our soverane lordis lettres, raiset at the instance of Petrie Cheyne in Raithnie, makand mentioun that, upone the nynt day of November last, Johne Meldrum in Reidhill sent Williame Littlejohne, his servand, to the complaineris dwelling house in Raithnie with ane missive lettre, quhairin he desyred the compliner to

come to him, to the effect they might settle and agrie the differences standing betwix thame, anent the said Johne his violent intrusioun upone the complineris landis of Reidhill, and this messinger stayed with the compliner ane whole day, useing all the argumentis he could to persuaid him of his maisteris sinceritie, and refuised to go bak without the complainer; quhairupone the said compliner, simplie trusting the upright meaneing of the said John Meldrum, and nocht suspecting ony wicked practize to be intendit agains him, he addressed himself towards him to his hous in Reidhill, whare he found the said Johne accompanied with Johne Meldrum in Thomastown, his brother in law, and Mr. William Innes, nottar; and how sone the compliner entered within the house, the persones foirsaids caused locke the doores of the house, and presented ane dispositioun of the complineris right to the landis of Reidhill, drawin up by the said nottar, quhilk they urget him to subscryve, thraitning and minassing him with all soirt of violence gif he refuised; quhilk the compliner having with good reasone refuised to do, thay than closed all the doores and windowes of the house, of purpose to haif murdreist the compliner, pat violent hands in his persone, buffeted him with thair faldit nevis on the face, quhairwith they gave him sindrie blak and bloodie straikis; and the said Johnne Meldrum in Reidhill, with ane drawin quhinger, fyve inche deip in at the schoulder, to the grit effusioun of his blood; and thay had nocht failzeit to haif murdreist him, gif, be the providence of God, he had nocht bene releved from thair handis, committing heirthrow ane verrie great insolence upone the compliner, in heiche and proud contempt of his Maiesteis auchtoretie and lawis, for the quhilk the persones foirsaidis aucht to be puneist in thair persones and goodis, to the terror of utheris. And anent the charge gevin to the said John Meldrum in Reidhill, John Meldrum his brother in law, and Mr. Williame Innes, to have compeirit personallie befoir the lordis of previe counsall this present saxtene day of Februar instant, to have answeired to the premisis, and to have hard and sene suche ordour tane thairanent as appertenid, under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thay failzeid, lettres sould be direct simpliciter to put thame thairto; lykas, at mair lenth is contenit in the saidis lettres, executiones, and indorsationes thairof; quhilkis being callit, and the said persewar compeirand personallie, and the said Mr. William Inneis being also personallie present, the persewar passed fra the said Mr. Williame and declaired that he wald nocht insist agains him tuiching this complant; and the said John Meldrum and his said brother-in-law being oft tymes callit and not compeirand, the lords of secreit counsall ordains lettres to be direct, charging officiaris of armes to pas and denunce thame our Soverane Lordis rebellis, and put thame to the horne, and to escheit, &c." Extractum de libris actorum secreti concilij S.D.N. regis per me Jacobum Prymrois clericum eiusdem sub meis signo et subscriptione manualibus. *Sic subscribitur*, Jacobus Prymrois.

The assise found Meldrum guilty by the following verdict:—

Quhilkis personeis of assyse being rissavit, sworne, and admittit, efter accusatioun of new agane in thair presence, and audience of the said Johne Meldrum, of the crymes foirsaidis contenit in his dittay, thay removet altogidder furth of court to the counsall hous of the said Burght of Edinburgh, quhair first be pluralitie of voittis thay elected and chooset the said Johnne Macnacht, mercheand, burges of Edinburgh, and lait deane of gild thairof in chanceller of the said assyse, and thaireftir haifing red, sene, and considderit the said dittay, with the haill verificationes and probationes contenit in the depositiones, and utheris writtis uset and producet be his maiesteis aduocat for cleiring of the pannellis guiltines of the cryme thairin contenit, togidder also with the answeris and obiectiones maid thairto be the pannell and his preloquitours, with the depositiones of the witnessis and uther probatioun producet, lykwayis be the pannell for cleiring of his innocencie of the saids crymes, and haifing reasonet and voittit thairupone, and being thairwith ryplie and at lenth advyset, thay thaireftir re-enterit agane in court, quhair thay all in ane voce, be the judiciall and publict repoirt and declaratioun of the said John Macknacht, chancellar, thay fand, pro-

nuncet, and declairit the said Johnne Meldrum to be guiltie culpable, and convict of the foirknawledge, counsall, airt, and pairt of the treasoneable burning of the said toure of Frendraucht, quhairin umquhile Johnne Vicount of Melgwm, John Gordoun of Rothiemay, with thair servandis and followeris specefeit in the dittay, was sleiping in thair beddis, and brunt, for the tyme, quhairupone my lord advocat askit instrumentis. Thaireftir the justice ordanit the pannell to be tane bak to his waird to the tolbooth of Edinburgh, thairin to remane in sure firmance within ane close chalmer, unto the tyme he be advyset with the counsall, anent the dome and sentence to be pronuncet upone his former convictioun.

The sentence of the justice, given by advice of the lords of Privy Council, was,

The said Johnne Meldrum to be tane upone Tysday nixt, in the eftirnoone, to the mercat croce of Edinburgh, and thair to be hangit upone ane gibbet quhill he be deid, and thaireftir his heid, with his tua armes and tua leggis, to be quarterit and strukin frome his body, and put up upone irne prikis upone the foure severall poirtis of the said burgh; and his haill landis, heritages, takis, steidingis, rowmes, possessiones, guidis, and geir, alsweill moveable as unmoveable, pertening to him, to be forfaltit, escheit, and inbrocht to our soverane lordis use, as culpable and convict of the said tressonable cryme. Quhairupone his Maiesteis aduocat askit instrumentis.

After his conviction the lords of Privy Council gave warrant to certain clergymen to confer with the prisoner, with the view of extracting from him a confession of his guilt. With what success does not appear.

The lords of secreit counsell nominats and appoints, and therwithall ordains and commands the bishops of Dumblane and Rosse, Mr. Harie Rollock, Mr. David Mitchell, and Mr. Thomas Sydserf, to resort and repaire to Johne Meldrum, prisonner in the tolbuith of Edinburgh, and to enter into conference with him, and to use thair best travellis and endeavoures, for bringing of the said Johne to a confessioun of the truthe of that foule cryme whairwith he is convict; and discharges the jaylour of the tolbuith, his servants, and all others quhatsomever, to be present at the said conference, requiring the said bishop of Dumblane to tak the faithfull promise of the rest of his brethrein, not to reveale what the said Johne sall delyver unto thame.

A Ballad is still sung in the district around Frendraught, which, says Motherwell "has a high degree of poetic merit, and probably was written at the time by an eye witness of the event which it records; for there is a horrid vivacity of colouring and circumstantial minuteness in the description of the agonies of the unhappy sufferers, which none but a spectator could have given."[a] It may at least be conjectured that the Ballad has preserved the recent impressions which the sad event had made on the minds of the country people. It is also the subject of two poems by Arthur Johnston, under the following titles—"Querela Sophiæ Hayæ, Dominæ de Melgeine, de morte mariti," and "De Ioanne Gordonio, Vicecomite de Melgein, et Ioanne Gordonio de Rothimay in arce Frendriaca combustis."[b]

[a] Minstrelsy, Ancient and Modern, with an Historical Introduction and Notes, by William Motherwell, p. 161. Glasg 1827.

[b] Delit. Poet. Scot., vol. i., pp. 585, 587.

The following version of the ballad from Motherwell's work is believed to be the best :—[a]

The eighteenth of October,
A dismal tale to hear,
How good Lord John and Rothiemay
Was both burnt in the fire.

When steeds was saddled and well bridled
And ready for to ride,
Then out came her and false Frendraught,
Inviting them to bide.

Said—" Stay this night untill we sup,
The morn untill we dine ;
'Twill be a token of good 'greement
'Twixt your good Lord and mine."

" We'll turn again," said good Lord John—
" But no," said Rothiemay—
" My steed's trapan'd, my bridle's broken,
I fear the day I'm fey."

When mass was sung, and bells was rung,
And all men bound for bed,
Then good Lord John and Rothiemay
In one chamber was laid.

They had not long cast off their cloaths,
And were but now asleep—
When the weary smoke began to rise,
Likewise the scorching heat.

" O waken, waken, Rothiemay,
O waken, brother dear,
And turn you to our Saviour,
There is strong treason here."

When they were dressed in their cloaths,
And ready for to boun ;
The doors and windows was all secur'd
The roof tree burning down.

He did him to the wire-window
As fast as he could gang—
Says—" Wae to the hands put in the stancheons,
For out we'll never win."

When he stood at the wire-window,
Most doleful to be seen,

[a] Motherwell's Minstrelsy, p. 167.

He did espy her, Lady Frendraught,
Who stood upon the green.

Cried—"Mercy, mercy, Lady Frendraught,
Will ye not sink with sin?
For first your husband killed my father,
And now you burn his son."

O then out spoke her, Lady Frendraught,
And loudly did she cry—
"It were great pity for good Lord John,
But none for Rothiemay.
But the keys are casten in the deep draw well,
Ye cannot get away."

While he stood in this dreadful plight,
Most piteous to be seen,
There called out his servant Gordon,
As he had frantic been.

"O loup, O loup, my dear master,
O loup and come to me:
I'll catch you in my arms two,
One foot I will not flee.

"O loup, O loup, my dear master,
O loup and come away,
I'll catch you in my arms two,
But Rothiemay may lie.

"The fish shall never swim in the flood,
Nor corn grow through the clay,
Nor the fiercest fire that ever was kindled,
Twin me and Rothiemay."

"But I cannot loup, I cannot come,
I cannot win to thee:
My head's fast in the wire-window,
My feet burning from me.

"My eyes are seething in my head,
My flesh roasting also,
My bowels are boiling with my blood,
Is not that a woeful woe?

"Take here the rings from my white fingers,
That are so long and small,
And give them to my Lady fair,
Where she sits in her hall.

"So I cannot loup, I cannot come,
I cannot loup to thee—
My earthly part is all consumed,
My spirit but speaks to thee."

Wringing her hands, tearing her hair,
His Lady she was seen,
And thus addressed his servant Gordon,
Where he stood on the green.

"O wae be to you, George Gordon,
An ill death may you die,
So safe and sound as you stand there,
And my Lord bereaved from me."

"I bad him loup, I bad him come,
I bad him loup to me,
I'd catch him in my arms two,
A foot I should not flee.

"He threw me the rings from his white fingers,
Which were so long and small,
To give to you his Lady fair,
Where you sat in your hall."

Sophia Hay, Sophia Hay,
O bonny Sophia was her name—
Her waiting maid put on her cloaths,
But I wat she tore them off again.

And aft she cried, "Ohon! alas, alas,
A sair heart's ill to win;
I wan a sair heart when I married him,
And the day it's well return'd again."

No II.

ADAM BANNATYNE, BISHOP OF ABERDEEN.

THIS prelate was of the family of Kilconquhar, and succeeded to the lands of that name while he was minister at Falkirk. In 1615 he was promoted to the see of Dunblane, and continued in that place till he was translated to Aberdeen on the death of bishop Forbes.

The following extracts from Wodrow's "Collections"[a] on the life of Bishop Bannatyne, are introduced here, as serving to illustrate his management of several public matters in which he was occupied. Several of the letters have been

[a] In Wodrow's MS. Collections in the Library of the University of Glasgow.

printed by Lord Hailes, in "Memorials and Letters relating to the History of Britain in the reign of Charles the first." Edinburgh, 1766.

I have no more, as to the bishop, till the year 1633. When the King came down he found matters not yet ripe for introduction of the whole of the English usages in worship to *Scotland*. However, to prepare for this when the liturgy should be ready, he ordered the *English* service to be set up in his *royall chappell*, and wrote to the bishop, who was dean of it, and sent him his directions. I have the King's originall letter he sent with the directions, which, it seems, Mr. *Collier* has not seen when he published the directions.—*History*, v. 2, p. 760. Its proper they stand both here. Mr. *Collier* introduces his account of this matter thus,—"The King (when in *Scotland*) had observed the orders in the late reigne, for officiating in the *English* liturgy at Hallyroodhouse, had been discontinoued; and being resolved to attempt the bringing the whole island to an uniformity of worship, he conceived the use of the English common prayer in the chappell royall might prove a serviceable introduction. For tryall of this experiment, he ordered *Bannantine*, bishop of *Dumblane*, and dean of the chappell there, the following instructions." Ile begin with

The King's letter to the bishop, which came with them, from the originall, and it runs thus:—*Charles Rex*—"Reverend father in God, and trusty and well beloved counsellour, we greet you well. We have thought good, for the better ordering of the divine service, to be performed in our chappell royall there, to send down some articles, under our hand, to be observed therein, which wee send you where inclosed. And its our speciall pleasure that you see every thing carefully performed, according as we have directed by those inclosed articles; and likewise, that you certify to the lords of our privy council, that if any of those appointed by our former letters to them, to communicat in our chappell royall, shall not accordingly perform the same, to effect such order may be taken by our council therein, as by our saids former letters to them we did appoint; wherein, expecting your diligence and care, we bid you farewell. From our court at *Whitehall*, the 8th day of *October*, 1633."

This letter is quotted on the back, "To the reverend father in God, and our right trustie and well beloved counsellour, the bishop of *Dumblane*, dean of our chappell royall, in the kingdom of *Scotland*;" and above the address is, "*The letter and orders for the chappell royall.*" The orders follow:—

Charles Rex.

"1. Our express will and pleasure is, that the dean of our chappell that now is, and his successors, shall be assistant to the right reverend father in God the archbishop of *Saint Andrews* at the coronation, so often as it shall happen.

"2. That the book of the form of our coronation, lately used, be put into a little box, and laid into a standart, and committed to the care of the dean of the chappell successively.

"3. That there be prayers twice a-day with the choirs, as well in our absence as otherwise, according to the English liturgy, till some other course be taken for making one that may fitt the customes and constitutions of that church.

"4. That the dean of the chappell look carefully that all that receive the blessed Sacrament there receive it kneeling; and that there be a communion held there the first Sabbath of every month in our chappell.

"5. That the dean of our chappell that now is, and so successively, shall come duely thither to prayers on *Sundays*, and such holy dayes as the church observes, in his whiters, and preach so, whensoever he preaches there, and that he be not absent thence but on necessary occasion of his diocess or otherwise, according to the course of his preferment.

"6. That those orders shall be our warrand to the dean of our chappell, that the lords of our privy council, the lords of session, the advocat, clerk, and writers to the signet, and members of the colledge of justice, be commanded to receive the holy communion once a-year at least, in that our chappell royall, and kneeling, for examples sake to the kingdome.

And we likewise command the dean aforesaid to make report yearly unto us how we are obeyed therein, and by whom? and also, if any man shall refuse, in what manner he doth so, and why?

"7. That the copes which are consecrated for the use of our chappell be delivered unto the dean, to be keeped upon inventary by him, and in a standart provided for that purpose, and to be used at the celebration of the Sacrament in our royall chappell.

"To these orders we shall afterwards add others, if we find others more necessary for the service of God there. *October* 8th, 1633."

Mr. Collier suspects the bishop as not fully come off from his own presbyterian principles, but in my opinion he wrongs him. His words are, "and the King, possibly being apprehensive that *Bannantine* would be warping toward the presbiterian perswasion, gave the archbishop of *Canterbury* a warrand in write, to correspond with this bishop of *Dumblane*, and transmitt his Majesty's directions to him for the management of the chappell." I do not doubt of this; and I have some of bishop *Laud's* originall letters to the bishop, in consequence of this warrand. No doubt there were more of them, but they are now lost; and the few I have are sadly crazed and torn, and a good part of the last is past reading. I shall give them as they are.

The first is dated January 14, 1633, in our stile 1634, and runs:—"*Salutem in Christo, my very good Lord.* You are much beholden to my Lord *Stirling*, and as for myself I did you the best service I could. I am glade your troublesome suites are at an end. I hope what the King hath now done will preserve you against your pressing necessityes, through which, I pray God send you a good passage. But for *Westminster* foes, they did you much wrong, whoever they are, that made those relations to you; for my former letter I trust to you. As to your lordships preferment, when that place falls, I can say nothing, but I assure you his Majesty hath a very good opinion both of you and your services, and therefore I do not doubt but he will take you and your condition into consideration. At this time you have given his Majesty good content, and he expects you will continue in that course, and let him still receive a note of who they be that conform and who not; for I see his Majesty is resolved to go constantly on, and therefore you must not fail. I have considered how much reason you speak concerning the poor *singing* men, and have received their petition, which you sent inclosed. I must needs say, their case deserves a great deal of commisseration, and the very first time I got access to his Majesty, after the receipt of your letters, I acquainted him with their necessitys, and he, like a gracious and good prince, was very much moved with it, and commanded me to deliver their petition to my Lord *Stirling*, that some course might be taken for them. And this I will do, so soon as I can meet with that Lord, God willing, which I hope will be this day; and so soon as I can drive it to any good issue you shall hear from me. So, in haste, I leave you to the grace of God.

"Your Lordships very loving friend and brother,

Lambeth, January 14, 1633. "W. CANT."

This letter is addressed, "*To the right reverend father in God, my very good lord and brother, the lord bishop of Dumblane at Edinburrow,*" and above the address, all in the same hand, "*anent his encouragement and anent non-communicants.*" The *primates* next letter is in May that same year, and is directed as the former; and above the address stands *anent the liturgy and his sermon.* I know not what to make of those summarys above the address on bishop *Laud's* letters, unless they were like contents in the *primates* register of letters, for his better perusall of them, and put also on the back of the letters when sent away. That letter runs thus:—"*Salutem in Christo. My very good lord.* I am right sorry for the death of the bishop of *Edinburrow*, the loss being very great both to the King and the church. I acquainted his Majesty how needful it was to fill that place with an able successor; when mention was made of diverse men to succeed, I did as you desired, shew his Majesty what your desires were, and what necessitys lay upon you.

After much consideration, his Majesty did resolve to give the bishoprick of *Edinburgh* to my lord of *Brechin*. As for yourself, he commanded me to write expressly to you, that he did not take it well, that contrary to his express command, you had committed prayers in the chappell royall according to the English liturgy, with some commissions there, which please him not. Besides, his Majesty hath heard that there have lately been some differences in *Edinburgh* about the sufferings of Christ, &c., and that your lordship was some cause of them: or at least, such an occasion as might have bred much disturbance, if the late bishop of *Edinburgh*'s care and temper had not moderated it, and this his Majesty is not well pleased with neither: and this hath been the cause why his Majesty hath, as I conceive, past you over in this remove: and you shall do very well both to apply yourself better to his Majesty's service and the well ordering of that church, lest you give just occasion to pass you by when any other remove falls. I am sorry that I must write thus to you, but the only way of help lyes in yourself, and in your own carriage; and, therefore, if you will not be carefull of that, I do not see what any friend can do for you. Therefore, not doubting but you will take these things into your serious consideration, for your own good, I leave you to the grace of God, and rest.

Your lordship's very loving friend and brother,

Lambeth, May 6. 1634. W. CANT."

I do not mix in my remarks, with those principall papers. Its enough that I lay them before my readers, who will make naturall enough reflections on them. This letter is as discreet, and yet quick and handsome a banter upon the bishop of *Dumblane*, as well as a strong threatening of him, if he came not in intirely to the *primate's* schemes and measures, as one can read almost. Every body knowes that *Laud* was sole minister for *Scotland* at this time, at least as to Church matters, and did all: and one cannot doubt easily, that the reasons of overlooking the bishop of *Dumblane* were suggested to him by the writer of them. Bishop *Spotswood*, as far as I can guess, would not suggest them, because he was no biggot for bishop *Laud's* way: and the old bishops were none of the keenest sticklers for *Arminianisme*. Probably *Sydserfe*, *Maxwell*, and the rest of *Laud's* followers, informed him of those things, and he laid them before the King. Bishop *Bannantine* was zealous enough for the ceremonies, and, according to bishop *Laud's* own testimony, did the King good service that way a few months before this. No doubt he had given his reasons why the English liturgy was not used in the chappell, though they would be very strong ones which would convince the *primat* of *England*: but the great point was that of doctrine, from the summ on the back of the letter, *anent his sermon*. I guess the bishop of *Dumblane* had a sermon at *Edinburgh*, in the old strain of the doctrine of the church of *Scotland*, and probably against the *papisticall* and *Arminian* doctrines, which *Laud* countenanced in *England*, and his creatures, *Sydserf*, *Maxwell* and Forbes, late bishop of *Edinburgh*, used to teach, to gratify their patron *Laud*. Considering the detail given here, it appears, before bishop *Forbes* death, and it may be before *January* last, when bishop *Bannantine* stood very well with the King otherwise, bishop *Forbes* could not have, by his moderation, prevented the ill consequences of it. Probably, indeed, bishop *Laud* knew not of *Bannantine's* sermon till of late. But after he had looked upon the English liturgy, and especially when he had opposed the *Arminio-Pelagian-popish* doctrine, he must stand where he is, and not be advanced. But to return to the primate's letters:

In Julij following, when the Bishop of *Dumblane* had made a return to the former, which it seems drew forth an apology; Bishop *Laud* writes again to him, with the former address, and this above it, *anent reading the liturgy, and his sermon at Edinburgh*. And it runs thus, from the originall, as they all are. "*Salutem in Christo*. My very good lord, my haste at this time, forces me to write very briefly. And those are to let you know, that I wrote nothing in my former letter, but as the King's Majesty was informed, and myself by him commanded. I have now read your lordships letters to his Majesty, which hath in some part satisfyed him, but not altogether. As to the first, his Majesty saith, that though

the gentlemen of the chappell royall did absent themselves, for fear of arrests, having not to pay, and that might hinder the service in the chappell, in a solemn and formall way of singing by them; yet his Majesty thinks you might have gote a Chaplain of your own, to have read the English liturgy; that so the work, for the main part of it, might have gone on. And for the payment of those men, I think your lordship knowes I have done all the good offices I can, but have it not in my power to mend all the difficultys of the time. Concerning the disturbance that was in *Edinburgh*, if any wrong was done your lordship, it must be on them who mis-reported you to the King, whoever they were: and albeit the King took it not ill, that you advised the late Bishop of *Edinburgh* to appease the disturbance; for that was very worthily and discreetly done in you: but, in as far as I remember, the charge laid upon you to the King was, that in your own sermon which you preached about that time, you did rather side with one party, than either reprove or compose the difference, though I must needs confess to your lordship, that, by reason of the multitude of businesses which lye upon me, I cannot charge my memory with the particular. You have done very well to acquaint the lords of council and session, with his Majestys resolution concerning the *communion* in the *chappell royall*; and I doubt not but if you continue to do what his Majesty looks for, and which is most just, and fitt to be done, but that you will easily receave his Majesty's favour, and find the good of it. So, in haste, I leave you to the grace of God, and rest

Your lordship's very loving friend and brother,

Lambeth, July 1, 1634. W. Cant."

The next letter is dated *October* 4, that same year; but more than the half of it is consumed and torn, so I can give only a paragraph at the beginning and the end. It runs thus:—*Salutem in Christo.* "My very good lord. I have a second time moved his Majesty concerning them that obeyed or disobeyed his commands in receiving the communion at the chappell of *Hallyroodhouse*, and you shall not fail to receive his Majesty's answer by my Lord of *Ross*; so that I have not need to be further troublesome to you in that particular." (The next paragraph, of 5 or 6 lines, I can make nothing of; it seems to import that his Majesty was now satisfyed as to the bishops carriage with respect to the *English* service in the *chappell*). Then he adds,—"That one of the gentlemen of the chappell royall had been at *London*, and received half of the money which had been promised them. And he was told that the other was payed also to one of their company, whom themselves employed to receive it, who, it seems, was bankrupt, and either run away with their money or mispent it, or else served his own turn with it. Now, what to say to this" (adds he) "I cannot tell; for the checquer is not in that case that I can think it fitt, or if I do, I am sure the lord thesaurer will not think so, that the King should pay the same summ twice; and yet I must confess it falls very hard upon the poor men to bear the loss, but they should have been wiser in the choice of their agent. Notwithstanding, if there can be any hope in this case to relieve, I shall do my best, and for the future, my lord, promeis to me they shall be duelie payed. So I leave you to the grace of God, and rest,

Your lordship's very loving friend and brother,

Croyden, October 4, 1634. W. Cant."

The next letter, if I mistake it not, clears what is wanting in the former, and is addressed as the first, and above it is written *about wearing the whites.* It runs: *Salutem in Christo.* "My very good lord, I am very glade tihear your resolutions for ordering the chappell royall; and that you are resolved to wear your whites, notwithstanding of the maliciousness of foolish men. I know his Majesty will take your obedience and care very well; and being fully satisfyed, both concerning your sermon, and all things else committed to your trust, you may, as opportunity serves, expect from his Majesty all reasonable things, and I shall not be wanting to give you all the assistances that I can, upon all occasions, of which I heartily pray you not to doubt. My lord, the Earle of *Traqueir* is now come, and

I shall take the first opportunity I can to speak once more to him about the gentlemen of your chappell, and shall shew him what your lordship writes concerning one *Edward Kelly* whom you mention; and what answer soever I can get, you shall receive from me. So in haste, I leave you to the grace of God, and rest,

Your lordship's very loving friend and brother,

Lambeth, January 12, 163⅓. W. CANT."

P.S.—"I have spoken with my Lord *Traqueir*, and he tells me (if I mistook him not) that payment was made to *Kelly* with relation to the gentlemen of the chappell, and that your own hand, as well as others, is to some agreement made about it. The paper was not then about him, else he had shewed it.

Very little offers to me concerning the bishop after he went to *Aberdeen*. In bishop *Spotswood's* life the reader hath a letter from bishop *Laud*, complaining heavily of the bishop of *Aberdeens* allowing a fast to be keeped in his diocess, 1637, not appointed by the King or the bishops. Matters were now come the length, that ministers resumed the native power of their office; and its probable the bishop knew the fast *would* be keeped, whether he allowed it or not, and so chuse to comply.

In the assembly, 1638, he was cited with the rest of the bishops, and did not appear or send any excuse, and it seems stood firm to his prelatical principles; and so he was not only deposed by the assembly, but for his contumacy, and other crimes, excommunicat by the assembly, with the bishops who had given in a declinature.[a]

"*My very good lord. Salutem in Christo.* I have but one thing at this present to trouble you with, but that hath very much displeased the King, and not without very just cause; for now when the King is settling that church against all things that were defective in it, and against the continowance of all unwarrantable customes, unknown to, and opposed by the ancient church of Christ. The now bishop of *Aberdeen* hath given way to, and allowed a *publick fast* throughout his Diocese, to be keeped on the Lord's day, contrary to the rules of Christianity, and all the ancient canons of the church. I was in good hopes that church had quite laid down that ill custome; but since it appears that the now bishop of *Aberdeen* hath continued it, and perhaps others may follow his example, if this pass without a check, therefore his Majesty's express will and command to your grace is, that you and my lord *Glasgow* take order with all the bishops in your severall provinces respectively, that no man presume to suffer or command any fast upon that day, or indeed any publick fast on any other day, without the speciall leave and command of the King, to whose power it belongs, and not to them. And further, his Majesty's will and pleasure is, that if the canons be not already printed, as I presume they are not, that you make a canon purposely against this unworthy custome, and see it printed with the rest, and that you write a short letter to the bishop of *Aberdeen*, to let him see how far he hath overshot himself; which letter you may send with those of mine, if you so please. This is all which for the present I have to trouble you with. Therefore, leaving you to God's blessed protection, I rest,

Your grace's very loving friend and brother,

December 1, 1635. W. CANTERBURY."

"Let me only add, because it relates to this same matter, archbishop *Laud's* letter to the Earle of *Traquair*, a few days after this," (disturbance about introduction of liturgy) "likewise from *Rushworth*. *My very good lord.* I have received your letter of August 20, and am very glade to read in them that mine came safle to your hand by your servant. For the bussiness, I had some little inkling given me by my Lord *Striviling* about the stay of the service book; but till I read your letter, I did not believe it possible that way should be

[a] Wodrow, in certain "Addenda to Life of Bishop Bannatyne," quotes from Rushworth, Archbishop Laud's letter regarding an irregular fast kept by the bishop of Aberdeen within his diocese.*

* Rushworth's Historical Collections, vol. ii., page 315.

given to an interdiction, especially considering how strongly you had ever opposed it; and withall, how weak and uncounsellable, at least in my judgement, the thing itself was, for they could not but forsee that that course would add a great deal of heartning and encouragement to the *puritan* party, and therefore its no wonder such . . . and others as were ill affected to the liturgy, were easy in giving way to that counsell, which they could not but see would advance their own ends; but that my lord of *Ross* should give the advice, and my lord of *Saint Andrews* follow it with such stifnes, may be a wonder to any man that knowes them and the bussiness.

My lord *Saint Andrews* hath lately written to me, that my lord of *Ross* was gone to his diocess; but for my part I did not think that all the rest would have gone away and left the bussiness, for they cannot but think that the adverse party would make use of the present time, to put further difficultys upon the work; and, therefore, they should have been as carefull to uphold it, my lord of *Ross* especially, whose hand hath been as much on it as the most. But since they are gone, his Majesty takes it extremely well, that my lord of *Edinburgh*, *Galloway*, and *Dumblain*, have stayed and attended the business as they can; and he hath expressly commanded me to give your lordship thanks for staying with them, and keeping them so well in heart; for as the bussiness is now foiled, if you do not stick close to God's and the King's service in it, it will certainly suffer more than its fitt it should," [etc.]

No. III.

DR. WILLIAM FORBES, BISHOP OF EDINBURGH.

It appears from the following letter, that Dr. Forbes had been suggested as a person qualified for the office of Principal of Marischal College four years before he was elected to that office. The letter is written by the legal adviser of the Magistrates, and suggests either Mr. Charles Ferme, minister of Fraserburgh, and principal-elect of the proposed College and University of Fraserburgh, or Mr. William Forbes, as a suitable successor of Principal Gilbert Gray, lately deceased. Mr. Andrew Aidy, however, was elected to the office, and to him Mr. Forbes succeeded in 1618.

Richt honorable,—efter remembrance of my dewetie, I haue receauit your letter fra this bearar; be the quhilk I am made partaker of your sorow for the death of these tua honorable and gude men, quhilk God hes callit out frome amangis you to himselff. Quhairas, ye speir my counsell quhat ye sall do anent the filling vp of thair roumes; to the first, I can not gudlie give yow ansuer; ye ar acquanted thairwith obefoir. In the persone of vmquhile Alexander Cullen, your lait provest, I think thair is na necessitie of any new electioun, ffor ye may serue the seat be ane vice-provest; always, if ye be of mynd to cheise ane new provest, ye do na wrang thairin, and ye may do it lauchfullie. The nixt questioun is mair important anent the principall, his place. I lyk your choyse verie weill of Mr. Charles Ferme. Thair is tua impedimentis; ane, he is sackler, ane vther, it will be hard to obtane him. I will think als guide of Mr. Williame Forbes, quha is now at the kirk of Monymusk, bot I fear the smalnes of the stipend sal be ane hinder to all gude sprittis. Gif ye

think it gude, I sall deale with the archbishopis of St. Andrew's and Glasgow anent Mr. Charles Ferme, and in the meantyme, quhill I receave your ansuer in that matter, I salbe dealing with thame. I feare I be over trew ane propheit, to witt, that ye sall not get Mr. Gilbert Gray euerie day, quho with the hurt of his awin rent vpheld that estate. Wald God I wer deceaved. Thair sall inlaik na diligence in me for furtherance of your honorable effairis. As ye pleas, adverteis me; and sua, cessing to truble yow any farder, I rest,

Your honouris at power to be commandit,

Edinburgh, 5th January, 1614. TH. NICOLSON.

To the richt honorable the ballyeis and counsell of Aberden.[a]

The following letter from Dr. Forbes, to the provost and baillies of Aberdeen, relates to his removal from Aberdeen to a cure of souls in Edinburgh, a measure which he and they appear to have opposed:—

Richt honorable,—My most hartie affectioun and dew respect to yow being rememberit, ye sall vnderstand that, on the thrid of Januar last, the mater of my transplantatioun, at the suit of the commissioneris of Edinburgh, wes handlit heir in St. Androis before the hie commissioun, quhair we war clein borne doun be my lord of St. Androis and the rest of the commissioneris, our only most worthie bischop being exceptit, quho ever remanes constant in his guidwill both towardis you and me. And becaus the mater could not be sentencit be thame without the concurrance of the commissioneris of the generall assemblie, to quhome power is delegat for planting of the kirk of Edinburgh, I wes citat *apud acta* to compeir before thame at Edinburgh on Weedinsday nixt, being the nynt of this instant, thair in writt to gif in the ressounes of my refusall of transportatioun, bot, in a word, that formale sentence may be gevin out aganis me. The baillie hes mor fullie acquentit yow with all proceedingis, who most faithfullie hes acquyt himselff of all that trust ye reposit in him. This is an soir wynd to all our hartis, bot God, who hes wyndit ws, will in his awin tyme haill ws agane. Trusting in God, and the constancie of your fauour, I sall, Godwilling, notwithstanding all thais machinatiounes, remane constant in my word and promeis maid to yow. Thus, recommending yow and my pure self to Godis gratious blissing and protectoun, I rest, now and ever,

Youris ever in Christ,

St Andrs, 4th Januarij, 1622. MR. WM. FORBES.

To the richt honorable my lord provest and baillies of Abirdene.

Many testimonies to the learning and piety of Forbes are quoted in the notice of him and his works in Gordon's Scots Affairs, vol. iii., pp. 241-2. The following summary of his opinions is given by a writer who could see little good in the bishops:

"If Mr Forbes had left us legacy a confession of his faith, he would have been a strainge mixtiemoxtie farrago and hotch potch of *Popery, Arminianisme, Lutheranisme*, and what not. Mrs Jo. Maxwell, Sydserf, and Maxwell were never heard to utter any unsound doctrine and heterodoxy, except in relation to prelacie and ceremonies, till Doctor *Forbes* came to Montrose. But then it was taught that *the pope is not antichrist; that a papist* [illegible] *that Christ descended locally into hell; that he dyed*

[illegible] by Mr Forbes [illegible] Provost George Nicolson of [illegible] my cousine Patrik Davidson will gif yow the auld toini[illegible] and ask vtheris under [illegible] I seik nane of the tueff [illegible]

[illegible] belonging to the Burgh of Aberdeen.

for all intentionally to redeem all; that there is an universall grace; that the saints may fall from grace finally and totally; that Christ is really present in the sacrament; verbum audimus, motum sentimus, modum nescimus, though as yet they would not as yet speak out either consubstantiation or transubstantiation; that in honorem sacerdotii, a minister may meddle with secular affairs, be upon parliament, court, council, session, exchequer, commission, &c.; that ministers doctrine should not be examined by the people, but seeing they watch for their souls, as those that must give account, the people should believe what they preach to them. All these points, and many more, have we heard with our ears, preached in that most eminent watch tower of this kirk." (Quoted in Wodrow's MSS. Collections on the Life of Dr. Forbes, in the University of Glasgow, from Row's "Historie of the Kirk," and slightly differing from the passage as printed in the Wodrow Club edition of Row's work, pp. 371-2. Wodrow refers to a life of the bishop written in latin verse by Mr. Andrew Stephens, schoolmaster at Fetteresso, in praise of the character of this prelate, and quotes the commendatory opinions of Charteris, Bayle, and bishop Burnet, which will be found in Gordon's Scots Affairs, *ut supra*.)

IV.

BROKEN MEN.

VARIOUS proclamations against "broken Hielandmen" and "broken men," occur in the Records of the Privy Council, in the course of the years 1633 and 1634.

On 25th September, 1634, the Privy Council issued the following commission against sorners and "broken men" of the Clangregor and other clans, on grounds which indicate the weakness of the law, and the generally disorganized state of the country:—

Forsameekle as the lords of secreit counsell are informed that ane great nomber of sorners, and brokin men of the Clangregour, Clanranald, Clanlachlane, and others broken clans dwelling under the laird of M'Gregour, the laird of Glengarrie, Allane M'Eeane Davy and his sonnes, the captane of Clanrannald, and ellis where in the Hielands, have verie heavilie infested and spoyled diverse of his Majesteis good subjects dwelling within the shirreffdomes of Murrey; namelie, upon the day of August last, they came to the hous of Chalmer in Ormestoun, band himselffe and his wife hande and foote, spoyld his hous, and reft and away took ane thousand punds or thairby; and upone the day of the said moneth thaireftir, thay in lyk maner spoyled and herryed the hous of Andro Geddes in Cairmecht; and upon the day of the said moneth, they came to the hous of Johnne Mair in Braemurry, and robed and spolyed the said Johne of his goods, and gave Mr James Cuming, being in the hous for the tyme, elliven wounds with his awin durke: Lykeas, in the moneth of Junij last, they violentlie lifted and away tooke ane heirship of fiftie heid of oxin aff the month of Dolleis; and in the moneth of July thairafter, thay thifteouslie staw three meirs from Thomas Gilzeane in Haltoun, togidder with ane blak horse; and laitlie, in the moneth of September instant, they violentlie drave away ellevin hors and meirs perteining to John Hay in Ortoun: by the quhilkis, and manie moe grevous oppressiouns and depredations and heirships, committed upon his Majesteis good subjects in the incuntrie of Murray be thir brokin lymmars and sorners, who goe about the countrie in great troupes

and companies, and, with unlawfull weapons, the haill inhabitants in these bounds ar in continuall feare of thair lyffes and spoyling of thair goods, and darre not keepe thair horsis nor cattell in the countrie, as hes beene represented to the saids lords, by ane commissioner sent unto thame from the barrons and gentlemen of the countrie of Murray; and the saids lords understanding that the peaceable and free passage quhilk thir sorners hes from the parts of thair abode, throw the lands of diuerse barons and gentlemen, to thir parts of the incuntrie of Murray, encourages thame to hazard upon suche disperat and wicked attempts; and to the effect the said barons and gentlemen raise no pretext or colour of overseing the lymmars, for want of power and auchtoretie to represse thair incursiouns and depredatiouns: Thairfoir, the lords of secreit counsell hes givin and grantit, and be the tennour heirof gives and grants full power, auchtoretie, and commissioun, expresse bidding and charge, to the persons particularlie underwrittin; they ar to say, Sir Johne Grant of Freuchie, Sir Robert Innes of that ilke, Hucheon Ros of Kilraack, Alexander Dunbar of Grange, Alexander Brodie of Lethame, Robert Dunbar of Burgh, Mr. James Campbell of Moy, Johne Grant, appeirand of Balindallach, Mr. Samuel Falconer of Kincorth, Robert Leslie of Fynrassie, Johne Inness of Leuchars, Coline Campbell, sonne to Sir James Campbell of Calder, James Sutherland, tutour of Duffus, Mr. David Stewart of Newtoun, and Walter Leslie of Glen, conjunctlie and severallie, to conuocat his Majesteis lieges in armes, and to pas, searche, seeke, and take all sorners, brokin men, and lymmars, committing any heirships, depredatiouns, stouthreaffes, wherevir thay may be apprehendit, and to pas, follow, and persew thame, and to bring and exhibite thame before the shireff, or uther ordinar judge, where they sall be apprehendit, to underly thair deserved tryeil and punishement; and in caise it sall happin anie of the saids brokin men and sorners, for eschewing of apprehensioun, to flee to strenths and houses, with power to the saids commissioners to pas, follow, and persew thame, assiege the saids strenths and houses, waste be fyre, and use all kynde of force and warrelike ingyne requisite for winning and recoverie of the same, and apprehending of the saids brokin men being therein.

On 13th November, 1634, occur the following "charges against the Marquis of Huntlie and others, anent the disorders in the North," which afford no less pregnant evidence of the prostration of law and authority:—

Charges againe the Marques of Huntlie and others anent the disorders in the North—

Forsamekle as the lords of secret counsell ar informed, that great numbers of sorners and brokin men of the clan Gregour, clan Lachlane, and others brokin clans in Lochquaber, Stradoun, Glencoe, Bramar, and others parts of the Hielands, as alswa diuerse of the name of Gordoun, and thair dependers and followars in the in countrie, have this long time, and now latelie verie greevouslie, infested his Majesties loyal subjects in the north parts, especiallie the laird of Frendraucht and his tenants, by frequent slauchters, heirships, and barbarous cruelties committed upone thame, and be ane lait treasonable fyreraising within the said laird of Fendraucht his bounds, whereby not onlie is all the gentlemans lands laid waist, his haill goods and bestiall spoyled, slane, and maigled, some of his servants killed and cruellie demayned, bot also the haill tennants of his lands, and domesticks of his hous, have left his service, and himself, with the hazard of his life, hes been forced to steal away under nyght and have his refuge to his Majesteis counsell, and thir disorders ar grown to that hight, that almost no where in the north countrie can his Majesteis subjicts promise safetie to thare persones or means, the breake of his Majesteis peace in these bounds being so universall, as the verie borrowes and touns thameselffes are in continuall feare and danger of some suddane surprise, by fire or otherwayes, from thir brokin men; and the lords of secreit counsell, in this so deplorable estait of the countrie, finding it their bounden duty to use all means possible for preserving the honour of his Majestie his auchtoretie and lawes, and reparation of the losses of his distressed subjects, thay have

thairfoir resolved, upon trew information of the authors of thir disorders, thair abatters and resetters, to take such examplarie order thairanent as the delinquints may underly thair deserved punishment, and his Majesteis peaceable subjects be repaired in thair losses, and in tyme coming secured from the intrusions and disorders of the brokin men; and for this effect, ordains lettres to be direct to heralds, pursuevants, or messingirs of armes, charging the persons underwritten, thay ar to say, George Marqueis of Huntlie, and his bailzeis, Johne Gordoun of Buckie, Alexander Gordoun of Carneborrow, William Gordon of Tulloch, Sir James Gordoun of Lesmore, James Gordoun of Letterfoure, Johne and Nathaniell Gordons, sonnes to Johne Gordon of Ardlogie, Johne Gordon of Innermerky, Alexander Gordon his son, Johne Gordoun of Parke, Adam Gordon his brother, Duncane Braibner his greave, the laird of Gight, elder and yonger, John Gordoun of Ardlogie, Sir Alexander Gordoun of Cluny, Allane M'Eanduy and his sonnes, the laird of M'Gregour and Patrik his brother, the laird of Glengarie, M'Rannald of that ilke, elder and yonger, Gordoun of Terrisoul, M'Ianbreck of Glencoe, the Erle of Athole, the Lord Lovat, Sir Robert Innes of Balvenie, Johne Grant of Glenmoreston, Grant of Rathimurchus, of Gleneveis, tutor of Gleneveis, John Ogilvie of Milnetown, the Lady Rothemay, Alexander Strauchane of Glenkindie, Thomas Gordon of Artlache, John Gordon his sone, Alexander Leith, brother to Harthill, Patrick Gordoun, brother to Johne Gordoun of Auchinharroch, Johne Gordoun of Carnehill, Johne Gordoun in Corskellie, Duncane Cuming in Auchindown, John Fordyce in Auchincriff, and George Moreson in Rothemay, &c, maisters and landslords to thir brokin lymmars and chiftans of thair clans, and throw whois bounds thir brokin men have had thair repaire with thair hairships and depredations, and for whom, in that case, thay aucht to be answerable be the lawes of the countrie, to compear personallie befoir the lords of privie counsell upon the xvj. day of December nixtocome, to give information to the saids lords anent the heirships, slaughters, and depredatiouns, and others disorders committed upon the laird of Fendraucht, his tenants and servants, and others his Majesteis subjects in the north, since the burning of the toure of Fendraucht; and forder to underly suche orders anent the peace of the countrie, and restraining the depredations of all brokin men dwelling upon thair lands, or being of thair clans, for whome they aucht to be answerable be the laws of the countrie, and tuicheing redresse to be made be thame to his Majesteis oppressed subjects, of thair losses and damages susteaned by the said brokin men since the burning of the said house of Fendraucht, as by his Majesteis lawes and actis of Parliament sall be found necessar, and that thay compeir personallie to the effect foresaid, under the pane of rebellion and putting of thame to the horne; and forder, under all highest pane and charge that efter may follow, with certificatioun to thame and they failzie, that not only sall they be denounced rebelles and put to the horne, bot also suche forder exemplarie course sall be followed out aganis them, as his Majesteis honour and the peace of the countrie requires.

On the same day, the following persons were charged to compear before the lords of Privy Council, to give evidence anent these disorders:—

Johne bishop of Murrey, Mr. William Douglas, minister at Forgue, Normand Leslie of Tulloche, Walter Halket at the Milne of Rothemay, Mr. Alexander Inneis, parson of Rothiemay, Mr. Andrew Massie, minister at Drumblet, Mr. Johne Reidfurd, minister at Kinbettock, James Hamilton of Cors of Kinnore, Johne Hamilton his sone, Mr. Johne Annand, parson of Kinnore, Patrick , in Rothemay, Adamsons, elder and younger of Braco, Mr. Alexander Douglas, doctor of medicine in Bamf, Sir Alexander Hay of Delgatie, Mr. Robert Blair, minister of Forglen, Mr. Thomas Mitchel, parson of Turreff, Walter Urquhart of Crombie, Johne Gordoun of Carnefeild, Thomas Dorwart in Achannachie, Herris in Quhytlumes, Mr. Alexander Forbes in Turreff, Walter Barclay at the kirk of Keith, Johne Gordoun, younger of Achannachie, Johne Reidfurd in Mayen, Johne Steuinsone there, Patrik and George Murreyes in Auchintoull,

Sir James Gordoun of Lesmore, Johne Gordoun of Buckie, Mr. Richard Maitland, minister at Abirchirdour, and Mr Johne Logie, minister at Rathven.

On 27th November, 1634, a charge was directed to the sheriffs of Aberdeen, Banff, Elgin, Forres, Nairn, and Inverness, to convene and raise in arms "the haill noblemen, gentlemen, and others fensall persons within thair jurisdictions," for the apprehension of

Adame Gordoun, brother to Johne Gordon of Park, Alexander Gordon, younger of Innermerkie, Williame Gordon, sone of Gordon of Gollachie, Johne Gordon, sone of Thomas Gordon of Artlache, Gordon, sone to Patrik Gordoun in Sutherland, Gordon, sone to Johne Gordon of Achanachy, Nathaniel Gordon, son to John Gordon of Ardlogie, Robert Gordon, brother to the laird of Geicht elder, Johne Gordoun in Rothemay, Alexander Leith, brother to Johne Leith of Harthill, William Ros, son to Johne Ros in Ballievat, M'Gillivora, servitour to Johne Gordoun of Park, and M'Abrubler, servitour to . . . on the suspicion that they are the authors and committers of the lait disorders and insurrections in the north, and of the heirships, depredations, fire raising, and others disorders upon the laird of Fendraucht his tennents and servants, whois haill goods they have lifted, layed thair lands waist, and hanged one of the poore tennents upon the gallowes of Strabogie; and with ane high hand of rebellion they have resolved to make thameselffes masteris of the said laird of Fendraucht his haill estait, and to possess thameselffes thairin, and to keep the same by streath of armes in contempt and defiance of law and justice, being assisted in their disorders and rebellious courses by nombers of brokin hieland men and others, with whome they goe up and doun the countrie, ravaging and oppressing his Maiesteis good subjects, and in speciall, poore ministers who have not power to oppose thair violence, and that in so hostile and terrible ane manner, as the lyke has not been heard at anie tyme heretofore, to the disgrace of his Maiesteis government, and to the shame and reproache of his Maiesteis officers, and others his Maiesteis subjects of power, auchtoritie, and commandement within whois bounds thir rebellious persons resort.

On the same day, "charges were issued inhibiting all and sundrie provosts and bailzeis of burrowes and seatouns whatsomever, and all maisters and awners of shippes, skippers, and mariners, that nane of thame presoome, nor tak upon hand to reteane or transport in thair shippes, or others vessels, anie of the persones above writtin, furth of the countrie."

In an entry, dated 16th December, 1634, relative to certain "sorners and brokin men of the Clangregour, Clanlachlane, Clanranald, and others broken clans in Loquhaber, Stradoun, Glencoe, Bramar, and other parts, as also diverse of the name of Gordoun, and thair dependers and followers in the incountrie," the following witnesses were ordered to attend, on the supposition that they "can give ane licht and informatioun, anent the heirships and depredations lately committed upon the laird of Fendraucht."

Arthur Forbes in Barnehome, Mr. Robert Blair, minister at Forglen, William Pratt at Fyvie, Johne Gordoun at the Milne of Melros, Normand Leslie of Tulloch, Mr. William Douglas, minister at Forge, Mr. Richard Maitlane, minister at Aberchirdour, Mr. Johne Logie, minister at Rathven, Mr. Andro Massie, minister at Drumblet, Mr. Andro Kemp at Glenbucket, Mr. Thomas Mitchell, parson of Turreff, Mr. Harie Ros, minister at Raynie, Blacke Arthure Forbes, Alexander Strauchane, elder of Glenkindie, Alexander Strauchan appearand thairof, James Thomeson in Towie, Mr. Alexander Forbes in Turreff, Walter Ogilvie of Reidhyve, Johne Gordoun of Carnefeld, Thomas Dorwart in Auchanachie,

Walker Halket at the Milne of Rothemay, John Tarrell there, John Reidfu'rd and John Stewinsone in Meyen, George and William Murreyes in Auchinoull.

18th December, 1634,

"Johne archbishop of St. Andrewes" complained, "that nothing wes concluded or deponned in counsell (as he wes informed) anent the disorders in the north, bot the same wes made knowne and divulged unto the brokin men in the north; and thairfoir the said archbishop recommendit to the counsell secrece in all things that sould be treated or deponed in counsell about the said disorders, under all highest pane."

On 23rd December, 1634, the lords of secreit counsell hes modified, and be the tennor heirof modifeis to Mr Thomas Mitchell, parson of Turreff, Mr. Henrie Ros, minister at Reynie, Mr. John Logie, minister at Rathven, Mr. Andro Ker, minister at Glenbucket, Mr. Andro Masson, minister at Drumblet, Mr. Richard Maitlane, minister at Aberchirdour, Mr. Robert Blair, minister at Forglen, and Mr. William Douglas, minister at Forgue, and everie ane of thame, the sowme of ane hundreth punds, as for thair chairges and expenses in coming heir to give information anent the disorders in the north, to be payed to thame be his Majesteis thesaurer, depute thesaurar, and reccavers of his Majesteis rents, out of the first and readiest of the goods of the brokin men in the north.

On the same day the following persons were ordered to be summoned as witnesses anent these disorders:—

James Anderson in Alexander Gordon in Mairdrum, Thomas Duff in Rais, Adame Barclay there, Johne Gordon in Parkend of Strabogie, Gordon his son, John Spence in Brunslaire, James Hamilton in Corse, Johne Hamilton, his son, there, Mr. Johne Hamilton, parson of Kynnore, Mr. Robert Jamieson, parson of Botarie, Alexander Gordoun of Dunkintie, Donnald Farquharsone in Monaltrie, and Johne Gordoun his servant, Donnald Farquharson, baillie to the Marques of Huntlie, of Strathawin, William Steuart at the boate of the Boig of Geicht, James Hay in Milpen, John Dumbreck of Orcade, Johne Robertson at the boat of Fiddich, Alexander Robertson at the boat of Skerdustane, Alexander Leslie in Riddrey, Patrik Innes, servitour to Balvenie, George Cumming in Belrynnes, William Gordon in Monymore in Glenliuat, Alexander Ogiluie of Knock, Mr. Alexander Innes, parson of Rothemay, Mr. John Strauchan, minister at Coultestown, Sir James Gordoun of Lesmore, Sir George Ogilvie of Carnowsies, Mr. John Chalmer, minister at Innerawin, Robert Dumbar of Burgie, Mr. Gavin Dunbar, chanter of Murrey.

On 22nd January, 1635, new charges are issued for the apprehension of Adame Gordoun, brother to the laird of Park, and his allies already mentioned, as being

The authors and committers of the late disorders and insurrections in the north, and of the heirships, depredations, fireraisings, and others heavie oppressions committed upone the laird of Fendraucht his tennents and servants, whois haill goods they have lifted, laid thair lands waist, hanged one of the poore tennents upone the gallowes of Strabogie, burnt the said laird of Fendraucht his barn yaird, and compellis such of the tennents as remaines upon the ground to pay thame blacke maill; and with ane high hand of rebellion they have resolved to make thameselffes maisters of the said laird of Fendraucht his estait, and to possesse thameselffes thairin, and to keepe the same by strenth of armes in contempt and defyance of his Maiesteis royall auchtoritie, being assisted in thair rebellions by nombers of brokin hieland men and others, with whome they go up and doun the countrie, ravaging and oppressing his Maiesteis good subjects, and speciallie poore minis-

ters who ar not of power to oppose thair violence, and that in so hostile and terrible ane manner as the like hes not beene heard of at anie time heretofore.

It will be seen from the text[a] that the Marquis of Huntly was charged to appear before the Privy Council. The following minutes relate to his appearance, and to the charges laid upon him by the council: —

Edinbrugh, 26th February, 1635. The whilk day, in presence of the lords of secreit counsell, compeired personallie George Marques of Huntlie, and declared, that with great infirmitie and danger of his life he had made his addresse to this burgh in this unseasonable tyme of the yere, to give his appearance befoir the saids lords, and to answer anent the disorders in the north, and that for obedience of the charges execute agains him for that effect, and he humbelie craved of the said lords that they would be pleased to deligat some of thair nomber to confer with him anent that business to whome he hoped to give all satisfactioun that is prestable be him; for quhilk purpois, the lords nominats and appoints the Earles of Lauderdaill and Tracquair, the bishop of Edinburgh, the clerke register and advocat, or anie three of thame, to meit with the Marques the morne, and at such other times as they sall thinke fitt, and to confer and reasoun with him anent the said disorders, authors and abatters of the same, and to represent unto him the apparent presumptions of his accessioun and guiltines in the saids disorders, and how farre he may be burdened in law with the redresse thairof, and to report his answer, and thair opinion concerning the same to the saids lords, upon Tuesday nixt, till which time the lords continew all executioun agains the Marques.

Apud Edinbrugh, 5th Martij, 1635. The lords of secreit counsell continewes the Marques of Huntlie his entering of his person in waird within the castell of Edinburgh till the eighteene of this instant, he always remaining and keeping free waird within the toun of Edinburgh or the Cannogait.

Apud Edinburgh decimo Martij, 1635. The whilk day, in presence of the lords of secreit counsell, compeired personallie George Marques of Huntlie, and the saids lords having burdened him with the exhibition of the brokin men of the name of Gordoun, upon the acts of parliament 1587 and 1594, they, upone the said Marques his earnest desire, assignes to him Thursday nixt to consult with his advocat, and to give in his answer thereanent in writt, and the saids lords ordains Sir Thomas Hope of Craighall, knight barronet, his Maiesteis advocat, to revise and consider the depositiones tane anent the disorders in the north, and the acts of parliament made agains chiftans of clans, and to be in readiness upon Thursday nixt, to propone his reasons for fastening the saids brokin men upon the said Marques of Huntlie, and to answer to all that sall be alleged be the Marques in the contrare.

The minute which next occurs, narrates an application to the council by the Marquis, shewing that he had

"Made his addresse heir in this unseasonable time of yeere to the impairing of his health and indangering of his lyfe, to answer anent the late disorders committed in the north, quhairof, as he is most innocent and free frome the guilt and accessioun to suche publict misdemeanour and nefarious acts, so he will concurre with his best power, service, and furtherance, for repressing of the same; bot becaus the saids lords wer pleased at the said Marques his last appearance before thame, to urge him upon the acts of parliament 1587 and 1594, with the exhibition of the brokin men of the name of Gordoun, the said Marques will be sparing to make anie answer thairto, as being loath to enter in dispute

[a] (p. 60).

with his Maiesteis advocat, or to declyne anie service for the peace of the countrie that is prestable be him, or in his power to performe, humbelie desyring, thairfoir, the saids lords to forbeare at this tyme anie proceeding againes the said Marques upone the acts of parliament, and to grant him a commissioun for persute of the saids brokin men, which he is content to accept, and will promise upone his honnour and credite, faithfullie and reallie to execute the same, and to employ his freinds, ingadge his estait, and use his best care, power, and diligence for quyetting of the countrie, and in bringing of the persons disturbers of the peace thairof, and that betwix and suche a reasonable day as the saids lords, upone consideration of his present inabilitie, sall appoint; at which time, if he report not reall and satisfactorie diligence, the saids lords may than as weill proceid to the censuring of him if he be found guiltie, according to the nature and merite of his offence, lykeas at more lenth is conteanit in the said supplicatioun; quhilk being heard, read, and considerit be the saids lords, and they advised therewith, the lords of secreit counsell, upon the said Marques of Huntlie his earnest desire, forbeares all proceeding againes him at this time upon the acts of parliament for the exhibitioun of brokin men of the name of Gordoun, and ordains ane ample commissioun to be past and expede unto him, and the persons to be nominat be him, for whome he sall be answerable for thair apprehensioun and exhibitioun upon the xvj day of Junij nixt, before his Maiesteis counsell or justice, the said Marques first acting himselff in the bookes of secreit counsell, that the haill name of Gordoun within the shireffdomes of Aberdein, Bamff, Elgine, Innernes, Narne, Cromartie, and all the said Marques his vassals and tennents dwelling within his lands, or within the lands and bounds perteaning to George Lord Gordoun his sone, and all others whome he may stop or latt, and for whome he is answerable be the lawes of the kingdome and acts of parliament, sall live in peace and quyetnes, free frome all publict insurrections and rebellions, and that the laird of Fendraucht, his ladie, barnes, men, vassalls, tennents, and servants, and others his Maiesteis peaceable and good subjects, shall be harmelesse and skaithlesse in thair persons, lands, goods, and geir, frome all incursions, heirships, fireraisings, publict and opin oppressions, to be committed upon thaim be the said Marques, or anie of the name of Gordon within the bounds foirsaids to the disturbance of the peace of the countrie, and that the said Marques be himself, his bailleis and tennents, sall caus stay and arrest all stolin goods that sall be lifted from anie of his Maiesteis good subjects and carried throw his bounds, conforme to the acts of parliament made thereanent, and under the pane of satisfactioun of the said skaith, damage, and losse, that the parties interessed sall susteane in maner foresaid, fra the dait of the said act and in time coming.

The commission in favour of the Marquis was in the following terms:—

Apud Edinburgh, 19th Martij, 1635, Forsamekle as the persons underwrettin, they ar to say, tutor of Glenneveis, M'Rannald, younger, Adame Gordon, callit of Parke, Alexander Gordon, younger of Innermerkie, Johne and Nathaniell Gordons, sonnes to Johne Gordon of Ardlogie, James Gordoun, callit the soldiour, Williame Gordoun, sone to Gollachie, Johne Gordoun, sone to Little Milne, James Gordoun, sone to Baldornie, James Gordoun, sone to Patrick Gordoun in Sutherland, Robert Gordoun, brother to the laird of Geicht, elder, Alexander Gordon, callit of Drumheid, Williame Gordon, callit of Auchinhannach, Johne Gordoun in Corsekellie, Alexander Gordoun of Carneborrow, Alexander Leith, brother to Harthill, Adame Gordoun, servitour to Adame of Park, Johne Gordoun in Stradoun, Adame Gordoun there, James, Patrik, and Alexander Gordons his sonnes, George Gordoun in Auchterles, James, Adame, and Harie Gordons his sonnes, Johne Gordoun in Carnehill, Johne Gordoun in Incheorsie, Johne Gordoun in Wodheid of Rothemay, Duncane and Johne Dow Brabners, Alexander Duncane Brabner, William Coker, William M'Gillivorich, William Quhyte, Robert Copland, Alexander Kemp, Williame Beg, James Cruikschanke, whois father dwellis in Rothemay, George Moresone there, Johne Proffite, servitour to Nathaniel Gordoun, Williame Ros, sister sone to Letterfoure, Johne Boyes, alias Grant, Johne Moore in Stradoun, Johne Rayne, M'Ewin,

Gowell and Johne M'Ewin in Logymbre, Alexander Baillie, baillie to the Marques, Dunane M'Gregour M'Lauchry in Stronslon, Angus Fisr and Johne M'Gillespick, Donnald Keiss, Alexander M'Kenzier, Robert Cowper, Alexander Gow, James Inneis, Johne Weir, Williame Gaull, Johne Gerss, Johne Mune, Angus M'Innes, and Andrew Marniche, all in Caterane, are denaled to be, and have been the authores and committers of the manie slaughters, fireraisings, herships, depredationis, and uther barbarous oppressions, wherewith his Majesteis peaceable subjects in the north parts have beene greevously infested these diverse yeeres bygone, to the dishonour of God, disgrace of his Majesteis government, and disturbance of the publict peace and quyetnes of the countrie: for the quhilkis they ar all, at the least the greatest part of thame, denounced rebellis: and George Marques of Huntlie being callit to his answer thairupon, and being urged upone the acts of Parliament with the exhibition of the saids persons, the said Marques being loath to enter in dispute how far, by the lawes of this kingdome, he might be burdened for the said rebellis and brokin men, he by his petition, given in to the lords of privie counsell, did humbelie supplicat thame to forbeare all proceeding againis him upon the acts of Parliament, and to grant a commissioun to him, and to the persons underwrettin, for the persute and exhibition of the saids brokin men. Quhairunto the saids lords, at his earnest desire, were pleased to yield: and, thairfoir, the saids lords hes given and grantit, and be the tennour heirof gives and grants full power, auctoritie, and commissioun, expresse bidding, and charge, to the said George Marques of Huntlie, and to the persons underwrettin, nominat and gevin up be the said Marques, and for whome he sall be answerable. They ar to say, George Lord Gordoun, James Lord Desforde, Sir Alexander Irwing of Drum, William Seaton of Meldrum, Meinveis of Pitfoddells, Sir Alexander Gordoun of Cluny, Sir George Gordoun, elder of Geicht, George Gordon, younger of Geicht, Sir Robert Inneis of Balvenie, Sir Walter Inneis his sone, Sir James Gordoun of Lesmore, Alexander Gordon his sone, John Gordoun of Haddo, Johne Gordoun of Craig, John Gordoun of Buckie, Johne Gordoun of Hilltoun, Mr. Robert Gordoun of Straloch, Robert Gordon his sone, Johne Gordoun of Parke, Johne Gordoun of Innermerkie, Williame Gordoun of Tulloch, James Gordoun of Letterfurie, George Gordoun of Newtown, Williame Gordoun of Terpersie, Johne Gordoun of Corrachrie, George Gordoun of Tillichewdie, Patrik Gordoun of Kirkhill, Patrik Gordon of Kincragie, Johne Gordoun of Blelak, John Inneis of Leuchars, Alexander Seatoun of Pitmedden, George Gordoun of Coclerachie, Harie Gordoun of Glasauche, Alexander Gordon of Auchanachie, Williame Gordoun of Knockspeck, Robert Gordoun, baillie of the Ennie, James Gordon of Dumbennan, William Gordoun of Minmore, William Gordoun of Braichlie, and George Gordon of Baldornie, conjunctlie and severallie to convocat his Maiesteis lieges in armes, and to pas, searche, seeke, follow, and persew the rebellis and brokin men particularlie above wrettin, and all others whome the lords of privie counsell sall give in valentine to thame, wherever they may be apprehended, and to bring, present, and exhibite thame before his Maiesteis counsell or justice upone the xvj day of Junij next, to underly thair deserved tryell and punishment; and in caise it sall happin the saids rebellious persons and brokin men, for eschewing of apprehension, to flee to strenthis and housses, with power to the saids commissioners to pas, follow, and persew thame, assiege the saids strenths and housses, raise fire, and use all kynde of force and warrelike ingyne that can be had for winning and recoverie of the saids strenths and housses, and apprehending of the saids rebellis and brokin men being therein; and if in persute of the saids rebellis and brokin men, they refuising to be tane, it sall happin thame or anie of thame, or anie being in companie with thame, or within the saids strenths and housses, and assisting thame to be hurt, woundit, mutilat, or slane, or anie other inconvenient to follow thereupon, the saids lords declares that the same sall not be impute to the saids commissioners nor persons assisting thame in executioun of this commissioun as crime nor offence, and exonering thame thairof, and of all pane, crime, and danger they may incurre thairthrow, *simpliciter*, be thir presents, and for the better executioun of this commissioun, with power to the saids commissioners and persons assisting them therein, to beare and weare hacquebuts and pistolets in the execution of the said

commissioun allanarlie and no otherwayes, and generallie all and sundrie others things to doe, exerce, and use, quhilkis for execution of this commissioun of the law and consuetude of this realme ar known to perteane, firme and stable halding, and for to hald all and quhatsomever things sall be lawfullie done herein, and ordaines lettres to be direct, charging all and sundrie his Maiesteis lieges and subjects to reverence, acknowledge, obey, rise, concurre, fortifie, and assist the saids commissioners in all and everie thing tending to the execution of this commissioun, and to doe nor attempt nothing to the hinder or prejudice thairof, and for this effect to be in readiness in thair best and most warrelike furniture, and to conveene and meit with the saids commissioners at suche times and places as they sall be warnit thereunto be missive lettres or otherwayes, and to attend and await upon thame for prosecution of this commissioun againe the saids brokin men, under all highest pane and charge that after may follow.

On 17th March, 1635, the Privy Council having heard

That foure of the lymmars who wer actors in all the insolenceis, heirships, depredations, and fireraisings, committit upon his Maisteis peaceable and good subjects in the north pairts of this kingdome, ar of late tane and brought to the place of Kynnairdy, perteaning to the laird of Fendraucht, quhair they ar keeped in sure firmance be his ladie; of the quhilkis lymmars ane is callit Beg, twa ar callit Cowyes, and the name of the fourt not yet knowne,

They granted warrant to the sherriff of Banff to receive these "lymmars" from the Lady Frendraucht at Kinnairdie, and send them to Edinburgh.

The slaughter of Findlay M'Grimmon, a follower of James Grant, is noticed in the text, at p. 61. The following notice of the event occurs in the Records of the Privy Council.

26th March, 1635, the whilk day, in presence of the lords of secreit counsell, compeired personallie Johne Grant, appeirand of Ballindallach, and reported and declared to the saids lords that he was informed by a letter from his wife, that the persons underwrittin, viz., Johne Dow M'Gregour, Patrik Roy M'Gregour, Robert M'Gregour, M'Instalker, and Donald M'Instalker his brother, and M'Arthure being in persute of James Grant rebell and his complices, and not daring to sett upon him in respect of his forces, being saxteene or moe in number, and they onlie sax, they attendit the opportunitie, till the said James Grant his companie sould dissolve, and accordinglie persewed Finlay M'Griman, and Cumming, in Belrynnes of Stradoun; killed the said Finlay, and sent his heid heir to be presented to the Counsell, tooke the said Cumming alive, and caried him three myles of purpose to have caused exhibite him to the Counsell, bot the countrie rising and preassing to releive him, they war forced to kill him; quhilk report being heard be the saids lords, and the said Finlay M'Griman's head being presented before thame, they allow of the saids persons thair taking and killing of the said Finlay M'Griman, and Cumming, and finds that they have done good service therein, exonering thame of all crime and offence that may be impute to thame foir this caus: Lykeas, the saids lords ordanes the balleis of Edinburgh, to caus affixe the said Finlay M'Griman's head upon the neather bow-port, and the saids lords ordains Johne Erle of Tracquair, his Maiesteis deputie thesaurar, to delyver to the partie, bearer, and inbringer of M'Grimman's head, the soume of ane hundreth merkes, in satisfaction of his hazard and charge, and for encouragement of others, cheerfullie to goe on in the like service in time cumming.

On 22nd April 1635, in consequence of a missive from the King to John, archbishop of St. Andrews, Lord High Chancellor of Scotland, the Marquis of Huntly was liberated from confinement.

On 11th June, 1535, the Marquis of Huntly sent

[illegible] the lords of privie counsell and parquet with the head of James Gordoun, sone to Adame Gordoun of Auchinmarne, who was slaine in the taking, and 6 others of the rebellis contenant in the said Marquis his commissioun, quhilk was delyvered to the provost and bailies of Edinburgh, to be set up by thame on the nether bow."

On 16th June the council ordered the provost and bailies of Aberdeen to receive from Alexander Strachan of Glenkindie, some lymmars apprehended by him, and amongst others one Alaster Forbes, who is knowne to be one of the most notorious lymmars in the kingdome, but whom they had "verie undewtifullie refuised to receive in thair waird," when presented to them by the laird of Glenkindie.

On the 16th July, 1535, the following act was passed against those who intercommoned with the broken men of the name of Gordon and others:—

Forsamekle as the lords of secret counsell ar informed, that Robert Dempster in Cushnie, George Gordoun of Newtoun, Alexander Leslie in Achinber, Robert Collein in Hassiwell Johne Lobane, servitour to Adame Abercrombie of Auldrane, George Leith his sone-in-law, and Skatterie, now servitour to James Lord Desforde, hes beene ordinarie resetters and intercommoners with the brokin men of the name of Gordoun and others, since the time of thair rebellioun, and proclamations direct agains the resett and intercommoning with the sauls brokin men, and that they can give some information and light anent the sauls brokin men thair resett ellis where in the countrie: Thairfoir ordains lettres to be direct, charging the resetters and intercommoners particularlie above writtin to compeir personallie, and the said Lord Desforde to exhibite the said Skattertie his servant, and the said Adame Abercrombie, to bring and exhibite the said George Leith his sone-in-law, and Johne Lobane, before the saids lords at a certane day, to be examined, tryed, and punished for thair resett of the saids brokin men as accords, under the pane of rebellion, &c., with certification, &c.

On 4th August, 1535, the lords

Required James Creichtoun of Fendraught, who was personallie present, to goe home and lye in his awine bounds according to his place and pratike.

On 7th August, 1535, the lords

Ordained lettres to be direct, charging Adame Gordoun of Auchindoun, Sir Alexander Gordoun of Cluny, Gordoun his brother, Sir George Gordoun of Geicht, George Gordoun, appearand thairof, Johne Gordoun of Haddo, Sir James Gordoun of Lesmore, Mr. Robert Gordoun of Pyllare, Gordouns his sonnes, Johne Gordoun of Buckie, Johne Gordoun, appearand of Buckie, Alexander Gordoun of Dunkintie, [Patrick] Gordoun of Kinmundie, Gordoun, his eldest sone, [William] Gordoun of Terpersie, Gordouns his sonnes, Patrik Gordoun of Rothiemay, Johne Gordoun of Rothneis, George Gordoun of Logydurno, Gordouns his three sonnes, Williame Gordoun of Knockespeck, Williame Gordoun, appearand thairof, Johne Gordoun, elder of Achannachie, George Gordoun, appearand thairof, Patrik Gordoun of Carnewheipe, Gordoun his sone, Thomas Gordoun of Arnlach, Gordouns his sonnes, [John] Gordoun of Buckie, [George] Gordoun of Cowdernichie, Mr. Patrik Gordon of Braka, James Gordoun of Rothemay and his tutors and curatours of he ane hes for thair interesse, James Gordoun of Dauck, Gordouns his sonnes, Johne Gordoun of Innermerkie, Gordoun, his sone, Johne Gordoun of Park, Gordouns his brother, Williame Gordoun of Brodland, Alexander Gordoun of Garrie Gordoun of Tulliangus,

Gordoun, appearand thairof, and Gordouns thair brother and sonnes, Gordoun of Lichestoun, Gordouns his sonnes, Gordouns his brother, Robert Gordon of Cowlithie, Patrik and George Gordouns his sonnes, Gordoun of Smithstoun, Gordoun of Craig, Patrik Gordoun his uncle, George Gordon of Newtoun, Gordoun of Birkinburn, Gordoun, appearand thairof, Gordoun of Tullischelt, Gordoun appearand thairof, Gordoun of Corridoun, Gordoun, appearand thairof, Gordons his uncles, and Gordouns his brother, Williame Gordoun of Tulloch, James Gordoun of Letterfoure, Gordoun of Tillichowdie, Gordoun, appearand thairof, Gordoun of Balgowane, Mr. Thomas Gordoun of Pittendreich, Johne and Alexander Gordouns, sonnes to Sir George Gordoun of Geicht, Johne Gordoun of Ardlogie, Gordouns his sonnes, Gordoun, sone to umquhile Patrik Gordoun, brother to the laird of Geicht, Robert Gordon his brother, Williame Gordon of Murack, Alexander Gordoun his sone, Gordoun of Sauchin, Gordoun, appearand thairof, Gordouns thair brother, Harie Gordoun of Glassauche, Alexander Gordoun of Abirzeldie, Gordouns his brother, Alexander Gordoun of Achannachie, James Gordoun of Bomurrell, Thomas Gordoun of Gradoun, James Gordoun of Crabstoun, Gordoun of Birsmoir, to compeir personallie before the saids lords upone the twentie twa day of September nixtocume, provided to find sufficient and responsall cautioun for observing his Maiesteis peace, and keiping of good rule and quyettnes in the countrie, under the pane of rebellion, &c., with certification, &c.

From the following act of the lords of Privy Council, dated 30th August, 1635, it would appear that, even where parties were desirous of keeping down the disturbances, they had to encounter many difficulties in their way.

Apud Edinburgh ultimo Augusti, 1635. Forsamekle as Williame Ros, sistersone to James Gordoun of Letterfoure, ane of the principall rebellis and dissobedient persons in the north, and be whome the peace of that countrie wes verie farre disturbed and troubled, being lately tane and apprehended be Patrick Grant in , and Mr. Williame Falconer in , and they being of purpose to have exhibite him to his Maiesteis counsell, to have underlyen his deserved tryell and punishment; trew it is, that in the meantime Williame Gordon and Alexander Ferquharsone in Miguie, and Mr. James Ferquharsone, writter in Edinburgh, came upon the saids Patrik Grant and Mr. William Falconer, and violentlie tooke the said Williame Ros aff thair hands, and carried him to Strabogie, and delyvered him to George Marques of Huntlie, by whome he wes resett and interteaned, as if he had beene ane free, lawfull, and obedient subject in high and proud contempt of his Maiesteis auchtoritie, and incouraging of others disordered and brokin lymmars, to continew in thair rebellion if this slip wer unpunished; thairfoir the lords of secreit counsell ordains lettres to be direct, chargeing the saids Williame Gordon, Alexander and Mr. James Farquharsons, takers of the said Williame Ros from the saids Patrik Grant and Mr. William Falconer, and the said Marques of Huntlie, receaver of the said Williame frome thame, and who had, hes, or contemptuously hes putt him away, to compeir, bring, present, and exhibite the said Williame Ros before the saids lords upone the xxij day of September nixt, to the intent order may be tane with him for his rebellion as apparteanes, under the pane of rebellion, &c., with certification, &c.

On 22nd January, 1636, the following act was passed, as to the slaughter of two "complices" of James Grant:—

Apud Edinburgh, 22nd January, 1636. The whilk day, in presence of the lords of secreit counsell, compeared personallie Johne Cadell, servitour to Johne Grant, appearand of Ballindallach, and produced and exhibite before the saids lords, the heads of Thomas Bayne M'Agie, and Kenneth M'Gillimichael, twa of James Grants complices, who wer

killed be Ballindallach and his servants; and the saids lords having considderit of this service, they allow of the same, and declares the same to be good and acceptable service to his Maiestie and the countrie, whairof they will be myndefull as the occasioun of the said Johne Grant his affairs sall offer, and ordains the heads to be sett upon the neather bow, and the pairtie inbringer thairof to be satisfied be his Maiesteis thesaurar.

On the same day a proclamation was issued, forbidding all persons to receive or intercommune with James Grant, "and ane infamous byke of lawlesse lymmars," whom he had associated to himself, as

Namelie Robert Grant his brother, George Grant his bastard sone, Johne Dunbreck of Urtane, Johne M'Grimman, sone to umquhill Finlay M'Griman, Johne Beg M'Allan M'Grimman, vagabond, Johne Forbes, vagabond, Forbes his brother vagabound, Thomas M'Alaster, M'William Voir in Glencowglas, Johne M'Inriach, sone to umquhill James M'Inriach, vagabond in Stradoun, Alaster M'Inriach, vagabound, his brother, Thomas Dunbreck, sone naturall to the said umquhill Johne Dunbrek, Grant, sone to umquhill Thomas Grant in Knockilie, David Steuart in Skerdustane, Elspatt Innes, spous to the said James Grant, Isobel Grant, spous to Robert Finlay M'Inroy in Glenmoreston, M'Inroy his sone there, Dulchie in Urquhart, Donald, Johne, and Ewin Dulcheis, his three sones.

On 21st March, 1636, the Privy Council, in consequence of a warrant from his Majesty, discharged

George Marques of Huntlie, prisonner within the castell, frome his waird within the same to his owne lodging, neir to his Maiesteis palace of Halyrudhous, and confynes him to his said lodging, with libertie alwayes to him to walke within ane of the gardens, of walkes within the precinct of the said palace, and no forder, commanding heirby the captane, constable, and keepers of the said castell, to putt the said Marques of Huntlie to libertie and freedome furth of the same, to the effect he may make his addresse to his said lodging in the Cannogait, remaine and keepe waird within the same, in maner above prescryved, till his Maiestie sall signifie his forder pleasure concerning him: Lykeas, the said Marques being personallie present, and this his Maiesteis pleasure and ordinance foirsaid being intimat to him, he with all dewtifull respect, acknowledgit his Maiesteis gratious favour showin to him, and promeist to give full obedience to the same.[a]

On 16th April, 1636, warrant is granted to transport to Edinburgh

George Grant, bastard sone to James Grant the traitour, and other twa of his rebellious complices, [who] ar latelie tane and apprehendit be the laird of Auchindoun, and baillie of Strabogie, in whois custodie and keeping they ar for the present.

On 4th May, 1636, the Marquis of Huntly made the following acknowledgement of his remissness, in keeping the peace of the country, proceeding, as it appeared, from his remembrance of the "notour injuries done be Fendraucht, agains me and myne."

The Marquis of Huntly's acknowledgement:—

I, George Marques of Huntlie, upon dew and good considerations, doe acknowledge that the law required of me a more necessar and exact diligence in restraining of those insolenceis committed be Adame Gordoun and his associats, and with all I consider, and doe

[a] The imprisonment of the Marquis is noticed in the text, p. 66.

humbelie acknowledge that, in my dewtie and obedience to the Kings Maiesteis lawes, I aucht, without remembrance of the notour injureis done be Fendraucht againe me and myne, to have used my best meanes for keeping the peace of the countrie; and as I doe in all humilitie confes my bygane faults, so I am heartilie sorry for the same, and doe confes that if his Maiestie sould have suffered the course of law to have gone againe me, that I wes lyable to verie heavie censure, whairfoir I most humbelie beg his Maiesteis pardon, and with all doe oblige myself to amend this fault in time comming, and sall use my best meanes for preserving the peace of the countrie, and for the mair securitie I am content that thir presents be insert in the bookes of privie counsell, that execution may pas thereupon in form as effeiris; in witnes whairof, I have subscryved thir presents with my hand at Edinburgh, the xxiiij day of May, the yeare of God jaj vi^{c} xxxvj yeares. *Sic subscribitur*, Huntlye.

Thereafter an act was passed permitting the Marquis to go home, and on 3rd July, 1636, a new proclamation was issued, for the apprehension of the following members of the house of Gordon and others, who are described as the "light horsemen,"

Alexander Gordon, younger of Innermerkie, Johne Gordon elder of Ardlogie, Johne and Nathaniel Gordons his sones, Johne Gordon of Auchinreth, Johne Gordoun, sone to Gordoun of Littlemilne, Williame Gordoun, sone to Robert Gordoun of Gollachie, Johne Gordoun in Corskellie, Alexander Gordon of Bar, callit Pollsandie, Alexander Leith, sonne to umquhill Johne Leith of Harthill, James Gordoun callit Sutherland James, James Gordoun callit the sojour, William Gordon of Auchindache, Robert Gordoun, brother germane to the old laird of Geicht, William Simsone in Turreff, Adame Gordon in Auchnasknay, Allaster and Patrik Gordons his sonnes, Allane Farquharsone in Corriehoull, Williame M'Gilleworiche in Glenbucket, and Duncane Cuming in Balvenie, [who] after manie stouthes, stouthreiffes, treasonable fire raisings, opin and avowed heirships, intollerable oppressions and depredations, and others insolenceis committed be thame, with ane high hand, upone diverse his Maiesteis good subjects, to the high and proud contempt of law and justice, and to the disgrace of his Maiesteis government; and they being callit to thair answer before his Maiesteis justice and his deputs, and takand upon thame the guilt of the saids crimes, and fearing the event of thair tryell, they absented thameselffes and compeared not, for the quhilk they wer denunced and declared fugitives and rebellis; and lettres wer direct discharging all his Maiesteis subjects to resett, supplee, harbour, or intertane thame, bot to repute, hold, and esteeme thame, and accordinglie to persew thame as traitours, theeves, and reavers, with fire and sword, and all other rigour and extremitie, as in the lettres and proclamations direct and published for this effect at lenth is conteanit. And whereas, be the force of his Maiesteis royall auchtoretie, they, to shew thair just deserved punishment, wer forced to abandoun and leave the countrie, and remained furth thairof some certane space, yitt now, they foolishlie presooming that thair former treasonable courses were turned in oblivion, and that his Majesteis arme of justice would not overtake them, they ar returned within the countrie, lurking and lying in obscure and derined places, till they finde the occasion to renew thair former treasonable courses, have this long tyme bygane, and now latelye, verie grievouslie infested his Maiesteis good subjects in the north parts, especiallie the laird of Fendraucht and his tennents, by frequent depredations, slaughters, heirships, and barbarous cruelties committed upon thame, and by ane late treasonable fire raising within the said laird of Fendrauchts bounds, quhairby not only is the gentlemans lands laid waist, his haill goods and bestiall spoyled, slaine, and maigled, some of his servants killed and cruellie demaymed, bot also the haill tennents of his hous have left his service and lands, and himself, with the hazard of his life, has been forced to steal away under night and have his refuge to the lords of privie counsell, and thir disorders ar grown to that hight, that almost nowhere in the north countrie can anie of his Maiesteis subjects

promise safetie to thair persons or means, the breake of his Maiesteis peace in those parts being so universall and fearfull, as the verie burrowes and touns thameselffs are in continual danger and feare of some soddane surprise, by fire or otherwayes, from thir brokin men.

V.

TRIAL OF DAME KATHERINE FORBES, "LADY ROTHIEMAY."

THE trial of this Lady for her supposed connivance with the broken Gordons, in their outrages on the laird of Frendraught, presents us with many striking pictures of the rude manners and lawless doings of the time. It commenced in the Court of Justiciary, on 3rd August, 1636, on which day

Katherine Forbes, Lady Rothiemay, [was] delaitit of airt and pairt of dyverse heirschipis, reiffis, oppressiones, and depredationes committit be licht horsemen of the name of Gordoun and utheris upone the laird of Frendraucht and his tennentis, at lenth specified in the criminall summondis producit thairupone.

Persewar—

Sir Thomas Hope of Craighall, knycht baronet, aduocat to our Souerane Lord for his Hines intreis.
James Creichtoun of Frendraucht.

Preloquitoris for the pannell—

Mr. Laurence M'Gill, Mr. Thomas Nicolsone, younger.

The pannell takis instrumentis of hir entrie, and protestis for her cautioneris releif.

My Lord Aduocat with the laird of Frendraucht as persewaris, declairis they insist upone the nyne perticuler poyntis of dittay contenit in the note gevin up to the pannell, and that scho is airt and pairt of all thaise perticuler poyntis of thift, burning, soirnings, and depredationes, as being committit be the licht horsemen and be the hieland men recept be the pannell within the house of Rothiemay, and within the woid of Rothiemay, and that befoir committing of the factis and deids lybellit they come out of the place of Rothiemay, and eftir the committing thairof returnet thairto with the stowin guidis, quhilkis war slane and disponet upone within the said place of Rothiemay, samekill thairof as was necessar for thair present sustenance, and the rest saltit; and that the Hieland men, quha war actuall doaris, with the licht horsemen, being within the woid of Rothiemay, war furneist by the lady with victuallis and aill; and that the lady oppinlie avowit thair soirning upone Frendraucht, and rebuikit thame quhan they returnet without thair pray; and quhan the stowin and reft guidis war cayreid and drevin throw hir ground, hard by the place of Rothiemay, schoe did nocht concur with the awneris of the guidis to red thame, bot be the contrair hindreit the awneris to red thair awin guidis, and did dryve thame towardis the licht horsemen, quhair thay remanet for the tyme.

A good deal of argument ensued as to the relevancy of the dittay, but ultimately the diet was continued to the last Wednesday of November ensuing. At

the Lord Advocate's instance, however, the evidence of certain witnesses at the bar was taken, and their depositions ordered to be kept *in retentis*. The case was again continued to the 22nd February, 1637, and on that day again continued to the 24th of February, on which day the

Lord Advocat producet, for proveing of the poyntis of dittay lybellit against the said Lady Rothiemay, and nyne articles collectit furth thairof and markit thairintill, the depositiones of the witnessis, sworne individually, and examinat be the justice upon the first day of August, 1636. Item, the depositiones of the Lady Rothiemay, Alexander Kellis, and Abrahame Mathiesone. Item, the depositiones of Adame Gordoun. Item, the depositiones of Walker Halket. Item, the depositioun of John Gordoun of Woidhead, quha was execute. Item, the depositiones of Mr. David Abercrombie, pedagoge to the young laird of Rothiemay, George Abirnethie, at the Walkmill of Rothiemay, William Abernethie in the Scheill, Mr. Alexander Inneis, minister. Item, the dispositioun of Mr. William Douglas, minister at Forg. Item, the depositiones of John Tarrew and Walter Hackett. Item, the lettres of treasone and charges thairof, for randering of the place of Rothiemay, and askit instrumentis upoun the productioun thairof; quhilkis writtis and probatioun above producet, the justice ordanit to be gevin up to the pannells procuratoris, to be sene be thame, and reproducet the nixt dyet.

On this occasion additional pleadings were brought forward by the counsel for Lady Rothiemay, on the relevancy of the dittay. It was also alleged, that any entertainment or shelter afforded to the light horsemen were extorted from her:—

Becaus it is of veritie that the samyn hous was takin in and maned be the rebellis, quha war many, and men of force, moir nor schoe was abill to resist unto, and that they having possesst thameselffis of the hous, they tuik the keyis of the zett quhan they enterit, and keipit the samyn, at quhilk tyme they reterit the pannell to ane privat of the hous to abyd into, and abaid in all the rest of the place thamselffis, and that they boasted and threatened to cast the pannell over the wall, because schoe wald not red the hous to thair pleasour; and that, in particular, Adame Gordoun, the chiftane of the rebellis, threatned and minaced to draw the pannell throw the fyre, becaus schoe resistit his will, and that the rebellis keipit thair awin keitchine, for prepairing of thair veivaris, apairt; and sua the rebellis haveing *manu forti* maned the hous of Rothiemay, quhair the pannel was, and being moir than abill to haive wronged the pannell with all maner of outragious, and haveing deteanit the hous be keiping the keyis of the samen, and *positivè* haveing offerit such outragious speiches to the pannell herself as said is; thair being within the house of Rothemay, and thair reteiring of the stowin guidis within the same, is no recept upone the pairt of the pannell, bot ane oppressioun committit againes the pannell be the rebellis, quhairby the pannell was no les a sufferer of thair sorneing and oppressioun, be thair taking, keiping, and detaining of the hous, nor was any of the leidges throw the stouth of thair guidis, committit be the rebellis, quhom (as is contenit in David Gray his first depositioun) the rebellis forcit to bring in thair awin guidis to the house of Rothemay for thair entertainment. Lykas, to evince cleirlie how adverse the pannell was to the courses attempted be the rebellis, and that schoe fand herself oppressit be thair taking and keiping of the hous, it is true and of veritie, that, howsone the rebellis in thair hosteill maner had maned hir hous, the pannell advertisit sundrie of the lordis of secreit counsall thairof be hir lettres, and that some of her lettres war red in face of counsall, quhairby schoe lying under that oppressioun of the rebellis, and not being abill to resist the samyn herself, did humlie supplicat a remeid of the rebellis thair soirning at the counsalls handis. And to prove the violence offerit to the pannell be the rebellis, in thair taking and keiping of the hous, and outrageing of hirselff, the pannell adduces the depositiones eftir following, producet be my Lord Advocat, viz., the depositioun of Robert Kemp, the depositioun of David Gray, in his first depositioun, the depositionis of Alexander Cruikshank, Williame Ridoche, Williame Watt,

and the said David Gray, in thair re-examinatioun upone the fourt of August, 1636, and the depositioun of maister David Abercrombie; and sua, in respect of the said exceptioun peremptour, that nocht only the pannell was constrained and compellit, throw just feir of oppressioun, to ony recept the rebellis had, bot also that positivelie the rebellis being mony in number and airmed, possessit thameselffs in the hous of Rothemay, randerit thameselffis maisteris thairof, be taking and keiping of the keyis, caryeid thameselffis maisterfullie and outrageouslie towardis the pannell the tyme and haill space thay war within the said place, sua that thair being in the house of Rothiemay can be compted na resett, to infer ane capitall cryme agains the pannell; and seing the said peremptour exceptioun is instantlie verifiet at the bar, be the depositiones producet be the Lord Aduocat, the pannell aucht to be assoilzeit from the desyre of the dittay, and thairupone aucht not to pas to the knawledge of ane assyse, &c.

The Lord Advocate, on the contrary, maintained that he had proved

Such ane wilfull recept and mainteinance of the rebellis, as the lyk hes nocht occurret in the kingdome, and for the quhilk thair can be no place aither for excuse or compassioun, except that the lady was the mother of a worthie sone what deceissit in that fatall fyre, quhairby the persewar, the laird of Frendraucht his house, his evidentis, his gold and silver perishet, the loiss quhairof exceidis ane hundreth thousand merkis, and ane other excuse of hir sex, that mistaking the persewar, quha was altogidder innocent, and laying upone him at the leist, the daith of her sone, exercet the passioun dew to hir sex, *quod vindicta nemo magis gaudet quam femina.*

He also averred that it was

Cleir and evident, be the depositiones schawin to the pannell, that schoe knew the outbrekking of the light horsemen, and of the denuncing of the hielandmen, and tauld it to dyverse of the witnessis examinat be the lordis of counsall and be the justice, befoir thair cuming, and treittit with Adame Gordoun, the chiftane of the licht horsemen, befoir the great number of auchtene come with thair followeris, and at his first cuming had bot foure and himselff but armour, and cumming at mydnicht was admittit without brekking of ye durris and zettis, and admittit to conference with the lady at hir awin bedsyde, and thaireftir went himself to ane chalmer quhair he lay doun, and quhan the hieland men come, to the number of aucht scoir, to the woid of Rothiemay (the licht horsemen being out of the place) thay war furneist be the lady in meit and drink, and quhan the licht horsemen thameselffis come, thay war ressavit with ane plausible and cheirfull countienance, and pairtit the place betwix thame, the on side of the closs to thame, and the uther to the lady, and no taiken of resistance maid be the lady, aither at thair entrie or dureing thair remaining, and the stowin and reft guidis brocht within the place, a pairt of thame war slaine and naittit within that quarter quhair the lady remanit, and it is nocht probable that thair could be ather feir or violence, for quhan the licht horsemen went out in the morning to pray upone the laird of Frendrauchtis tennentis, att thair returne at nicht the place was patent, and nocht only that, bot the taibles war coverit, and all maner of preparatioun maid for thair intertenement, and thameselffis ressauit with salutationes from the lady and hir dochteris; quhairas, gif the lady had bene miscontent, schoe mycht best at that tyme haif gevin advertisement to the shirreff of the countrey of thair being thairin, and haif left the house to the rebellis; bot to mak hir inexcusable at the first day of the licht horsemen, thair outgoing to mak ane assault upone the laird of Frendraucht and his tennentis, and that they fand ane rancounter upone the laird of Frendrauchtis pairt, quhairby thay war repulset and forcet to reteir; the lady in taikin of hir grit discontentment at thair evill succes quhan thay come back to the place, said to thame, as ane lady of curradge, that scho was assuret that thair retreit was nocht for laik of courradge (quhilk schoo had) bot to inhable thame to mak ane new onset, and to draw Frendrauchtis people in ane snair;

and becaus, eftir that thay war so weill incouraged, that thai brunt the barne yaird of Frendraucht, quhairin thair was above twelff hundreth bollis of corne, and had herreit the lairdis pure tennentis, and had takin frome thame thair haill guidis, geir, and oxin, conforme to the articles of the dittay, the lady was so weill pleased with thair succes, that, at Christmas thaireftir, schoe dancet with the licht horsemen in the place of Rothiemay the cusheoun dance upone hir schoulder; quhilk tua perticuleris ar nocht only deponit be the witnessis, bot grantit be the lady hirself in hir awin depositioun, takin be command of the lordis of secreit counsall, and all writtin be the ordiner clerk thairof; Lykas, it is cleirile deponit in the uther depositiones, and will nocht be refuiset be the lady hirself, that quhan threttie or fourtie heid of nolt was takin fra James Clark, the laird of Frendraucht's tennent in Pennyburne, and his servand George Leslie slane be the takeris, and the guidis war followit be the said James Clerk and some of the countrey people, and had red the samyn fra the Hieland men, and brocht the samyn als far bak as Rothiemay, the guidis war violentlie reft be the ladyis tua dochteris, and be some of hir tennentis, and thaireftir caryeit to Adame Gordoun, the chiftane of the licht horsemen at Inchannachie, and the committeris of the said stouth and murthour war interteainet be the lady, both befoir and eftir the murthour, in hir malt kilbarne. And quhairas certane passages ar alledgit out of the law, quhilk seames to import ane excuise of ony outward applause or countenance in the recept of rebellis, as done *durante metu*, that may have some cullour in assaultis maid be rebellis, quha cumes accidentallie and unawarss upone any of subjettis of the kingdome at ane particular tyme; bot thair sall be nather law nor pretick fund, that quhain such a violent and wilfull recept is as is qualified heir, quhilk was nather accidentarie or for a schorte indurance of tyme, bot begins in October, 1634, and lastit till January, 1635, at the quhilk time the ladie was commandit to randir hir hous; and during all this lying, nather was thair signe of resistance, nor intimation maid to the shireff of the countrie, bot a more favorabill interteainment nor became ane subjett or ane lady; and albeit the lady, for obedience of the chairge of treasone gevin to hir, randerit the hous of Rothiemay to the herrauld, and that the licht horsemen for ane tyme removet, zit the lady, in oppin contempt of the charge of treassone, eftir the house was randerit to the herrauld or shirreff, the lady enterit thairin of new agane, and nocht only re-enterit hirself, bot ressavit and admittit within the said place of Rothiemay ane single man of the licht horsemen callit Nathaniel Gordoun, quha was keipit closelie within the hous of Rothiemay; and during this time thair can nocht be allegit any force except the force and affectioun to a rebell, inrespect quhairof the criminall lybell standis relevant, and the exception aucht to be repellit, and the foirsaid criminall lybell aucht to be remittit to the knawledge of ane assyse.

The justice continued the diet to 1st March, 1637, and again to the 3rd of that month, on which day

The justice, with advice and consent of my lord advocat, as persewar, desertis this dyet, and conforme to ane command of the lordis of secreit counsall, and thair lordschips act following thairupoun, ordaining and commanding the lady Rothiemay to stay and abyde within the bundis of this side of the watter of Forth, and nocht to remove herself furth of the said bundis, quhill the xxvij day of Julij nixtocum, under the pane of tua thousand merkis; and to find cautioun for that effect, ordanit the said lady Rothemay to find the said cautioun to the effect and under the pane above writtin. To the finding of the quhilk caution, the said lady Rothiemay disassentit, and as of befoir offerit herself to the tryell of ane assyse for the crymes foirsaidis, as innocent of the samyn, or utherwayis to be wairdit quhill hir lauchfull tryell, in quhat prisone it sould please my lordis of secreit counsall or his Maiesteis justice to appoint, and askit instrumentis thairupoun.

Compeirit thaireftir, Sir Lues Lauder of Goger, knycht, and of his awin consent . . . become cautioun for the said lady Rothemay, that schoe should stay and remaine, and keip hirselff within the boundis of this syde of the watter of Forthe, and not to remove

hirselff furth thairof, quhill the said twenty sewint day of Julij nixtocum, under the said pane of tua thousand merkis money.

On the 7th of March another act of council was passed, in consequence of a missive from his Majesty,—

Apud Edinburgh septimo Martij 1637. The whilk day, the missive letter underwrittin, signed be the Kings Maiestie, and directit to the lords of privie counsell, wes presentit to the saids lords and read in thair audience, of the whilk the tennor followes:—Charles R. Right reverend father in God, right trustie and weillbelouit cousins and counsellers, right trustie, and trustie and belouit counsellors, we greit yow weill. Being informed that the widow of Rothemay hath beene long deteanned in Edinburgh, attending a legall tryell tuicheing the late troubles in the north, and being humbelie petitioned, on hir behalfe, for recommending her poore distressed estait unto you, her husband and sone being both killed in the lait unhappie accidents concerning Fendraucht, and that though she is willing to abide anie tryell for cleiring her innocencie, yet she is unable to undergoe that charge, whereunto delay and absence from her hous reduce her, we have heirby thought fit to recommend unto you that, upon souertie from her for suche things as you sall thinke requisite, you licence hir to repair to her hous, causing the keyes thairof to be delivered to her, unlesse you have some speciall reason to the contrare, whereof we desire to be certified; we bid you fareweill from our court at Whitehall the fourtene of Februarie, 1637. Quhilk missive being read, heard, and considerit be the saids lords, and they weill advised thairwith, they ordane the caution formerlie fand be the said ladie Rothemay for her remaining and keeping waird on this side of the Forth, to stand in force till the 27th of Julij next.

No farther procedure against the Lady Rothiemay took place.

It appears from the following act in favour of the Sheriff of Banffshire, that he had recovered the house of Rothiemay from the rebels, by an armed force, in April, 1635.

Apud Edinburgh, 8th July, 1635. Anent the supplicatioun presentit to the lords of secreitt counsell be George Baird of Auchmedden, shireff principall of Bamf, makand mentioun that, where upon the secund day of Aprile last, be warrand from the saids lords, he manned and fortified the hous of Rothiemay with powder, bullet, and 24 souldiours with thair necessar furnishing, who remained there be the space of sevin weekes, and for the space of four weekes thereafter, till the fyftene of Junij, that the Marques of Huntlie, by warrand from the saids lords, receaved the hous, the same was keeped by six souldiours, all furnished in maner conteanit in the supplicants compt, quherby it will appeare that, besides the dewteis lifted from the tennents of Rothemay, the supplicant hes beene at the charge and debursement of nyne hundred fourescore three punds nyne shillings of his owne proper moneyis, by and attour the charge of the taking and transporting of the ladie Rothemay, and others rebellis, fra time to time, as alsua in the persute and searching for the brokin men, and others imployments, as his Maiesteis service required; and whereas, by act of counsell of the 15th of Januar last, and by ane letter direct to the supplicant, for delyverie of the hous to the Marques of Huntlie, the saids lords hes declared that the charges bestowed be the supplicant, upon taking and keeping of the said hous, sall be thankfullie repaid upone his accompts; and seing he hes used his best moyen, freindship, and endeavours, to approve his dewtie and obedience to the saids lords in this service, humbelie desyring, thairfoir, the saids lords, be act of counsell, to approve and allow of his said service, and to give order for reall and tymous payment to him of his debursements, according to his accompt, lykeas at more lenth is conteanit in the said supplicatioun; quhilk being read, heard, and considderit be the saids lords, and they advised thairwith, the lords of secret counsell

allowes and approves of the said supplicant his service foresaid, and hes recommendit, and be the tennour heirof recommends to Johne Erle of Tracquhair, deputie thesaurar of this kingdome, the payment and satisfactioun of the supplicant according to his accompt, after tryell and consideration of the same and warrands thairof.

VI.

TRIAL OF GILDEROY AND HIS "COMPLICES."

Gilderoy, or as the word may be translated "the red lad," has been celebrated in the plaintive ballad which takes its name from the hero of it; but notwithstanding the romance which has thus been thrown about him, he appears to have been a mere robber and cattle lifter. A wonderful account of his adventures is given in the "Lives and Exploits of English Highwaymen, Pirates, and Robbers," by Captain Charles Johnson p. 56,[a] and, as a conclusion to the trial, the notice is here annexed, together with the ballad itself quoted from Pinkerton's "Select Scotish Ballads."[b]

At Edinburgh, 7th June, 1636. Forsameikle as Archibald, Lord Lorne, heritable justiciar of the south and north Ylleis, and of the shrefdome of Argyle, out of the zeal and affectioun to his Maiesteis service and peace of the cuntrey, hes carefully bestirred himselff, and now in end successively takin the arch rebell, Patrik M'Gregour, *alias* Gilroy, with some of his complices, be quhome his Maiesteis guid subiectis in the hielandis and north pairtis of this kingdome hes bene this lang tyme bygane heavielie infested in thair persones and guidis, which being ane service considerable, and quhilk in the consequence thairof will greitlie conduce to the peace and quyet of the countrey, thairfore the lordis of secreit counsall findis and declares that the said Lord Lorne hes behaved himself as ane generous and loyall subject, and that he has done guid, reall, and acceptable service to his Maiestie and the estait, and accordinglie approves the said Lord of Lorne his haill proceidingis in this matter, ordaining remonstrance to be made to his Maiestie of the said service and merit of the same: Lykas, the saidis lordis declaires that the said Lord of Lorne his taking of the said Gilroy and his complices within the boundis of his justiciarie, and exhibitioun of thame befoir his Maiesteis counsall heir, to underly thair tryell and puneischment, sall at na tyme be obtrudet agains the said Lord Lorne, nor sall impoirt ony preiudice or derogatioun to the right and priviledge of the said Lord of Lorne his justiciarie, bot that the same sall stand in full force, unpreiudget or impaired be the exhibitioun foresaid; for quhilk purpose, and for preservatioun of the liberteis of his office, ordanis the Lord Lorne to sit with and be assessor to his Maiesteis justice and his deputis in the trying and censureing of the said Gilroy and such of his complices as ar apprehendit be the said Lord Lorne. Extractum de libris actorum secreti consilij S.D.N. regis per me M. Gilbertum Prymrose clericum eiusdem sub meis signo et subscriptione manualibus. *Sic subscribitur*, Mr. Gilbert Prymrose.

[a] London, 1842.

[b] London, 1773, vol. I, p. 62.

Intrantes :—

Patrik M'Gregour, *alias* Gilroy.
Johne Forbes, sone to umquhile James Forbes in Strathdone.
George Grant, sone naturall to James Grant the notorious rebell, callit of Carroun.
Allaster Forbes, brother to the said John Forbes.
John M'Colme, *alias* Stewart.
Callum Forbes.
John M'Gregor M'Eane.
Gillespik M'Farlane.
Allaster M'Inneir.
Ewin M'Gregor, *alias* Accawisch.

Dilaitit of the severall and perticuler crymes of slaughters, thiftis, reiffis, depredationes, and oppressiones respective following, viz., the said Patrik Gilroy M'Gregor, for the tressonable usurpatioun of our Souerane Lordis royal power and authoritie upone him, in cuming to the dwelling hous of Alexander Hay in Cairnecowlie, and thair, with his complices, breking up the durris thairof, pat violent handis in the persones of the said Alexander and his wyfe, tuik thame captiues and prissoneris, caryeid thame as captiues tua myles fra thair awin hous under silence of nycht, quhair thay keipit the said Alexander and his wyfe captiues the space of twa houris, and wald nocht set thame free quhill thay promeist thame ane sowme of money for thair ransome and libertie. Lykas, they staw, reft, and away tuik fra the said Alexander, the haill guidis and geir being within his houss, countit in wynter last, confessit be the said Patrik Gilroy in his depositiones. Item, for soirning and oppression committit upone the tenents of Sir Robert Innes of Balvanie, knycht, lying upone thame dyverse dayis and nychtis, and violentlie taking of meit, drink, and uther furnitour, without payment of money thairfoir, confessit lykwayis be the said Gilroy, and comittit within thir tua zeir. Item, for airt and pairt of the thiftuous steilling of foure hens about Lambes, 1635, pertening to the guidman of Culquharnie, committit be him and be John Dow Gar, and utheris thair complices. Item, for airt and pairt, and being in companie with Donald M'Conochie, with Robert John M'Instalker, Neill M'Instalker, Neill M'Airthour, Donald M'Allaster, with Ewin Neill M'Phadrik, Patrik Glas, Duncane Roy Darg, Callum Forbes, John M'Comie, and utheris brokin men, at Candilmas last; and for the tressonable taking of William Dougat of Auchihove, and certane his servandis, captiues, and prissoneris, caryeit thame away and keipit thame prissoneris, and nawayis wald suffer thame to go frie, quhill thay gat band and promeis maid of twa hundreth merkis for thair ransome. Item, for airt and pairt with his complices of the thiftuous steilling and away taking, in somer last, 1635 yeiris, of fyftene nolt, furth of the landis of Glenprossin, quhilk pertenit to the laird of Fintreyis tennentis. Item, for being airt and pairt, and in companie with John Dow Roy his brother, John Grahame his half brother, and utheris thevis and soirneris, and for breking of William Stewartis hous in the Ile of Inchecalzicoth in the Lennox, steilling and away taking furth thairof of his haill insight plenishing, guidis, geir, writtis, and evidentis pertening to him, committit in the moneth of May last. Item, for the crewall slauchter of Chamrone, in anno 1634 yeiris. Item, for soirning with your complice thir thre yeiris bygane, throw the haill boundis of Strathspay, Braemar, Cromar, and countreyis thairabout, oppressing the haill commoun and puir people, violentlie taking and reifing from thame of thair meit, drink, and all provisioun, with thair haill guidis, gif he and his complices had bene resisted, and for commoun thift and reset of thift.

The said John Forbes being dilaittit for airt and pairt, and being the speciall brokin man quha accumpaneit James Grant, callit of Charrone, in all his tressonable and abhominable deidis this fyve yeir bigane, speciallie at the tressonable taking of John Grant, tiear of Ballindalloche, cayreing him from his awin hous to ane killogie, quhairin he wes detenit captiue and prissoner the space of twentie dayis. Item, for being in companie with the said James Grant, rebell, and airt and pairt with him of the crewall murthour and slauchter of umquhile Thomas and John Grantis, callit of Culquoche. Item, for being in

companie with the said James Grant, and airt and pairt with him upone the nynt day of Apryle last, of the tressonable resisting with schottis of hagbutis and airrowis, of the bailzie of Strathbogie, quha with ane grit number of the cuntrie people persewit the said James and his associattis within the house of James Anderson, hangman of Strathbogie, to haif apprehendit him and presentit him to justice, and for airt and pairt of the slaughter of umquhile Adame Rynd, sone to the gairdner of Strathbogie, and umquhile Black, quha war baithe schote and slane furth of the said hangmanis house, and ane thrid man was schote in the bodie and deidlie hurt. Item, for commoun thift, soirning, and oppressioun, &c.

The said Allaster Forbes being dilaittit for being in companie, and airt and pairt, with the said James Grant and John Forbes at the slauchter of the said Adame Rynd and Blak, and hurting and wounding of the thrid man furth of James Anderson, hangman of Strathbogie, his house, upone the nynt of Apryle last. Item, for airt and pairt, and being in cumpanie with the said James Grant and Johnne Forbes at the tressonabill taking of Johnne Grant of Ballindalloche, and keiping him prissoner within the killogie of Knockallie the space of xx dayis togidder, and last, for commoun thift and oppressioun, &c.

The said Johnne M'Colmie, *alias* Stewart, being indytit for airt and pairt, and being in companie with the said Patrik Gilroy, Patrik Glas, and thair complices, at the heirschip, reif, and oppressioun comittit be thame upone the laird of Cors his tennentis, steilling, reveing, and away taking fra thame of thair haill guidis, geir, insicht plenising committit a tua zeir syne or thairby. Item, for being in companie with the said Gilroy and his rebellious associattis at the tressonable taking of William Dougat of Auchinhove, and keiping thame captiues and prissoneris, him and his servandis, the space of tua houris, nocht suffering him and his servandis to go frie quhill thay promeist and gave band of tua hundreth merkis, and for being airt and pairt with Gilroy of that tressonable cryme.

The said Callum Forbes for being airt and pairt with the said Gilroy and his complices of the heirschip above written, committit be thame against the tennentis of Corss, and for being airt and pairt with thame at the tressonable takeing and ransomeing of the said laird of Auchinhove. Item, for airt and pairt, and being in companie with umquhile Patrik Glas at the breking of the duelling house of the minister of the kirk of Birss, steilling and away taking of his haill guidis and geir furth thairof. Item, for airt and pairt, and being in companie with the said Patrick Gilroy, John Dow, his brother, and thair complices at the spuillzie, reiffing, and thiftuous steilling at yule last, of the haill guidis, geir, insicht, and plenissing pertening to Alexander Couttis in Davach in Cromar; and last, for airt and pairt and being in companie with the said Patrik Gilroy M'Gregour and his complices at the breking of Williame Mitchellis house in Auchintoule, steilling and away taking furth thairof of his haill guidis and geir, insicht and plenissing, apparell and utheris pertening to him, being thairintill comittit about St. Laurence day last.

The said George Grant, base sone to the said James Grant, indytit for being airt and pairt with James Grant, rebell, his father, and in companie with him at the breking, under nycht, a sax yeir syne or thairby, of Mr. Robert Udny of Straloche, of his dwelling place, steilling and away taking furth thereof of aucht thousand merkis in rex dollars. Item, for attending the said James his father at his tressonabill breking of waird, and escaping furth of the castell of Edinburgh, and keiping companie with him, be convyoing him fra the said castell in October, 1632 zeiris, and passing with him to Bigger, and thairefter to the Falkirk, and thairfra to the woid of Harbertschyre, quhair he stayit lying seik nyne dayis, and thairfra convoying him thoro Menteith and Stratherne to the watter of Tay, and thairfra northwardis to Spayside, and keeping companie with him in all his wickit deidis sensyne; speciallie for being airt and pairt, and in companie with the said James his father at the tressonable taking of the said Johne Grant, fiear of Ballindalloche, and detening him captive within the killogie of Knockalie the space of twentie dayis. Item, for airt and pairt, and being in companie with the said James upone the nynt of Apryle last, within the house of James Anderson, hangman of Strathbogie, at quhilk tyme the bailzie of Strathbogie, with ane number of the countrie people, assemblit and convenit about the said hous,

for apprehending of the said James and his rebellious associattis, and presenting thame to justice, was resistet with schottis of hagbuttis, and Adame Rynd, sone to the gairdner of Strathbogie, William Williamsone, war baith slane out of the said hous, and ane third man named Patrik Anderson was deidlie hurt with ane schot, and sua for airt and pairt of the saidis crymes, &c.

The saidis Johnne M'Gregour M'Eane and Allaster M'Inneir being indytit for airt and pairt, and being in companie with the said Patrik Gilroy M'Gregor, in the moneth of May last, at the thiftuous breking up of William Stewartis hous in the Ile of Inchcalzeoch in the Lennox, steilling and away taking of the haill guidis, geir, insicht, plenissing, airmour, writtis and utheris pertening to the said William Stewartt, than being within his said hous. Item, for being in companie with the said Patrik Gilroy, John Dow M'Gregour, his brother, and thair complices, and for being airt and pairt with thame of the thiftuous steilling, be away of maisterfull thift and stouthreif, fra the tennentis of James Duik of Lennox, duelland upone his graces landis of Aber, of thair haill guidis, bestiall, and plenissing; as also, for airt and pairt of the hurting and wounding of the saidis tennentis, awneris of the saidis guidis, in defending thairof.

The said Gillespik M'Farlane being indytit for being in companie with the said Patrik Gilroy M'Gregour, that notorious and avowit rebell and manifest oppressour, dyuerse dayis and nychtis, speciallie be the space of fyve dayis and nychtis togidder, befoir the said Gilroy his taking, expres agains the actis of parliament and proclamatioun of his Majesteis lettres, inhibeiting all maner of persones to intercomoun or keip companie with the said Patrik Gilroy, rebill, under the pane of deid.

The said Ewin M'Gregour, *alias* Accawisch, being indytit for the thiftuous breking of Patrik Andersones hous in Aber of Kilmarannach in Junij last, under nycht, steilling and away taking of ane brown horse furth thairof, pertening to the said Patrik. Item, for the breking of Allaster Dow Stewart his dwelling hous in Gartnaforrow, steilling and away taking certane lynning clothes, with certane cheise and uther commoditeis furth thairof. Item, for airt and pairt of thair steilling out of Bartie Mylleris house in Junij last, under nycht, of ane pan with certane stuff for wemenis clothes, togidder with certane pastmentis, ruffis, and uther commoditeis than being within the said house. Item, for steilling of ane lynning web pertening to Andro Dyn in the Roiss, in August, 1635, with the said Andro his haill abuilzementis. Item, for steilling of ane plaid and certane lyning claith pertening to Walter Brichane, *alias* M'Andro in Blair, in somer last, 1635, togidder with ane dollour and ane half of moneyis. Item, fra William Kynros in Menteith of ane plaid and ane sword, committit in the moneth of Junij last. Item, for steilling of certane cheis, with ane half dollor in money, fra Walter M'Andro in anno 1635. Item, for breking of Thomas Mylleris house in Arochiebeg, at that tyme steilling and away taking fra him of certane apparrell and silver, with some tobacco, furth thairof. And last, for breking of Margaret Buchananes house in Arochiemoir, and steilling of certane cheise furth thairof, in somer, 1634, under silence of nycht.

Persewar—

Sir Thomas Hope of Craighall, knycht baronet, aduocat to our Soverane Lord for his Hienes intreis.

Archibald Lord of Lorne takis instrumentis of the productioun, and reiding of the foir-said act of counsall, quhairby the lordis of secreit counsall hes, for preservatioun of the liberteis of his office of justice generall within the boundis contenit in his infeftment of justiciarie, hes ordanit his lordship to sit as assessour to the justice deputis sitand in judge-ment. Lykas, according to the said act of counsall, the saidis justice deputis ratifeis his lordships haill liberteis and previlegis sett doun in the said act, and quhairupone the said noble lord lykwayis askit instrumentis.

The haill persones on pannell being accuset be dittay of the seuerall and perticuler crymes *respective* foirsaidis, mentionet in thair severall dittayis and depositiones tane be the

the lordis of secreit counsall, and Mr. Alexander Coluile of Blair, his Maiesteis justice deputis, confessit the samyn crymes judiciallie, eftir reiding of thair dittayis, to be of verritie. Quhairupone my lord advocat askit instrumentis.

Assisa—

James Stewart of Ardvorlich.
Mr. Johnne Murray, tutour of Strowane.
Alexander Monteith of Ballieholecht.
John Lennox of Branchogle.
Archibald Edmesoun in Duntraith.
Robert Stewart of Kilbeg.
John Grahame of Blaircesnok.
Walter M'Farlane of Gartavertane.
Archibald Davidson, merchand.
William Blitheman, fleschour.
Walter M'Farlane, fiear of Arrochar.
John Kneilland, servand to Kilsythe.
John Byrnie, merchand, burges of Edinburgh.
Johnne Reid Smyt, in the Cannogait.
Thomas Wilsone, saddler, burges of Edinburgh.

My Lord Aduocat takis instrumentis of the sweiring of the assyse, and for verificatioun of the pannellis guiltiness of the severall crymes above writtin, sett down in thair dittayis, produces thair severall depositiones maid in presens of the lordis of secreit counsall and justice depute, and repeittis thair judiciall confessioun of the saidis crymes, speciallie the confessioun of Allaster Forbes judiciallie of the crymes contenit in his dittay, maid in presence of the justice and assyse, and in respect thairof protestit for wilfull error agains the assyse gif thay acquit.

Quhilkis persones of assyse being ressauit, sworne, and admittit, eftir accusatioun of the saidis persones, on pannell, of the haill crymes above writtin, mentionet in thair severall dittayis, thay removet altogidder furth of court to the assyse hous, quhair thay electit and choset, be pluralitie of voittis, the said Mr. John Murray, tutour of Strowane, in chanceller, thaireftir ressonet and voittit upone the severall dittayis above writtin, and the haill crymes thairin contenit, and being ryplie and at lenth advyset thairwith, re-enterit agane in court, quhair thay all in ane voce, be the repoirt and judiciall declaratioun of the said chancellar, fand, pronuncet, and declaret the haill foirnamet ten persones upone pannell to be fylet culpable and convict of the severall and perticuler crymes contenit in thair dittayis, in respect of thair judiciall confessioun maid be thame thairof, be the interpretatioun and expositioun of the said James Stewart of Ardvorlich, and of the said assyse, and quha was judiciallie sworne in presens of the pannell to be ane trew and faithfull interpreter of thair confessiones and declaratioun, and as concerning the puneishment to be inflicted upone Allaster Forbes and Callum Forbes for thair former crymes, for the quhilk thay ar convict in respect of thair confessioun, remittis thair puneishment to the justice, to considder of thair minoritie, quhairupone my lord aduocat askit instrumentis, and desyret dome to be pronuncet upone thair former convictiones. For the quhilk caus, the justice, with advyce of the lords of secreit counsall, and of the said Archibald Lord Lorne, assessor constitute in this criminall proces, be the mouth of James Grant, dempster of court, decernit and adjudget the saidis Patrik M'Gregour, *alias* Gilroy, Johnne Forbes, George Grant, John Malcolmie, Johnne Makgregour M'Eane, Allaster M'Inneir, and Ewin M'Gregour, *alias* Accawisch, to be drawin bakwardis upone ane cairt or hurle, fra the tolbuth or wairdhous, to the mercat croce of Edinburgh, and thair to be hangit quhill thay be deid; and that the said Patrik Gilroy and Johnne Forbes sall be hangit upone ane gibbet quhill they be deid, quhilk gibbet sall be advancet ane grit degrie heicher nor the gibbet quhairupone the rest sall suffer; and thaireftir the saidis Patrick Gilroy and Johnne Forbes thair

heidis to be strukin af frome thair bodies, with thair richt handis, and the said Gilroy his heid and richt hand to be affixt on the eist or nether bow poirt of Edinburgh, and the said John Forbes his heid and richt hand to be put upone the wast poirt thairof, and that this dome and sentence sall be put in executioun upone Fryday next, the xxix. of Julij instant, at the ordiner tyme of day, to be appointet be the magistrattis of the said burgh; and as concerning the saidis Allaster and Callum Forbes, and Gillespik M'Farlane, continewis the pronunceing of dome agains thame to Fryday next, unto the tyme that the justice be advyset with the lordis of secreit counsall thairanent.

Curia justiciariæ S.D.N. regis tenta in prætorio de Edinburgh xxix. Julij 1636 per magistros Alexandrum Colvile et Jacobum Robertoun justiciarios deputatos.

The quhilk day, Allaster and Callum Forbessis, and Gillespik M'Farlane, being brocht furth of waird be the bailleis of Edinburgh, and presentit upone pannell, to heir dome pronuncet upone thame for the crymes contenit in thair dittayis, quhairof they war convict be ane assyse, befùr the justice, in ane court of justiciarie haldin upone the xxvij. day of Julij instant, quhilk dome and sentence was continewit to this day be the justice, quhill he war advyset with the lordis of secreit counsall thairanent. Compeirit Sir Thomas Hope, his Majesteis advocat, and produceit ane act of the lordis of secreit counsall, quhairof the teanour followis: Apud Edinburgh, vigesimo octavo die mensis Julij anno Domini millesimo sexcentesimo tricesimo sexto, the lordis of secreit counsall ordains and commandis his Majesteis justice, justice clerk, any thair depuittis, to pronunce dome and sentence agains Allaster and Callum Forbessis, and Gillespik M'Farlane, (quhois dome was continewit be thame, till thay consulted the saids lords thairanent), ordaining thame to be hangit to the daith, and for that effect to be drawin bakwards to the place of executioun the morne, in the eftirnoone, with the rest of James Grant and Gilroyis complices. Extractum de libris actorum secreti consilij S.D.N. regis per me magistrum Gilbertum Prymrois clericum eiusdem sub meis signo et subscriptione manualibus. *Sic subscribitur*, Mr. G. Prymrose. According to the quhilk act and ordinance of secreit counsall, the justice, be the mouth of James Grant, dempster of court, decernit and adjudget the saidis Allaster and Callum Forbessis, and Gillespik M'Farlane, to be drawin backward upone ane cairt fra thair waird to the place of executioun, to wit to the mercat croce of Edinburgh, this day, at eftirnoone, with the other sevin malefactoeris, convict and condempnit upone Wednesday last, the xxvij. of this instant, and thair to be hangit quhill thay be deid; quhilk was pronunce for dome.

[illegible] Boy, called "the Beau Boy."[1]

From "Lives and Exploits of English Highwaymen, &c." referred to at p. 437.

This hero, who, with his merry men, ravaged the Scottish country and pillaged the inhabitants, was descended of a very good family, and born in Perthshire, in the Highlands of Scotland; his father died just as he was of age, when leaving him an estate of about 500 marks a year, he thought himself fully capable to the management of it, without the advice of his friends; by which means he, in short managed it all away, and run through it in about a year and a half, upon which he soon became very needy, and a fit subject to be moulded into any shape that had an appearance of profit. Having thus, by his irregu-

[1] It appears from the Pres. of Salisbury that many of his haunts were situated in the upper districts of Aberdeenshire. A saying attributed to this bandit, which is yet repeated by the country people, furnishes us with a picture of several of these haunts, and of their respective merits.—"Cuibleam for heat, Cushnie for cold, and Clashnevera for health."

larities, reduced himself to a very poor condition, he was very burthensome to his mother, who often supplied him with money out of her jointure, which he always quickly consumed; but she perceiving that no good admonitions would reclaim his extravagancy, withheld her hand, and would not answer his expectation; whereupon, lying at her house one night, he arose, entered his mother's bed-chamber, cut her throat with a razor, and then plundered and burnt the house to the ground.

This unparalleled piece of villainy filled the whole country with horror, and a proclamation was issued out for his apprehension, with a considerable reward to them that should bring him to justice. He then fled into France, where being on a solemn day at the church of St. Denis, in Paris, whilst Cardinal Richelieu was celebrating high mass, at which the king was present, Gilder Roy had his hand in the Cardinal's purse, which was hanging at his side, while he was officiating at the altar; his majesty perceiving the transaction, Gilder Roy, who was dressed like a gentleman, seeing himself discovered, held up his finger to the king, making a sign to take no notice, and he should see good sport. The king, glad of such an occasion of mirth, let him alone; and a little while after, coming to the Cardinal, he took occasion, in discourse, to oblige him to look into his purse for money, which he missing, began to wonder. The king knowing which way it went, was more than ordinarily merry; until, being tired with laughter, he was willing that the Cardinal might have again what was taken from him. The king thought that he who took the money was an honest gentleman, and of some account, as he kept his countenance so well; but Gilder Roy had more wit than to come near them, for he acted not in jest, but in good earnest. Then the Cardinal turned all the laughter against the king, who, using his common oath, swore by the faith of a gentleman, it was the first time that ever a thief had made him his companion.

He went from France into Spain, and being one day at Madrid, he went into the Duke of Medina-Celi's house, when that grandee had made a great entertainment for several foreign ministers. Several pieces of plate were locked in a trunk, and stood in a little room next to a hall where the feast was, in which room many servants were waiting for their masters. Gilder Roy went in a Spanish habit, accoutred in all respects like the steward of the house, and going to those who sat on the trunk, desired them to rise, because he was going to use it: which they having done, he caused it to be taken up by some porters that followed him in, and got clear off with it.

Gilder Roy having been about three years out of his own country, and thinking the villainy which he had perpetrated there was forgotten, returned to Scotland again, where he soon became a most notable highwayman; and the first person on whom he exercised this unlawful calling was the Earl of Linlithgow, whom he robbed of a gold watch, a diamond ring, and eighty pieces of gold. In a little time his name became so dreaded through the whole country, that travellers were afraid to pass the roads without a great many in company; and when money was short with him, he would enter into Athol, Lochaber, Anguis, Mar, Baquehan, Murray, Sutherland, and other shires in the north of Scotland, and drive away the people's cattle, unless they paid him contribution, which they did quarterly, and had his protection; which was safeguard enough for their own persons, or goods, from receiving damage by him, or any of his gang.

When Oliver Cromwell embarked at Donaghadey, in the north of Ireland, and landed at Port-Patrick in Scotland, the news thereof came to Gilder Roy, who was then lurking in the Shire of Galloway, accordingly he met him on the road towards Glasgow, Cromwell having only two servants with him, he commanded him to stand and deliver, but the former, thinking three to one was odds, refused to obey; they then came to an engagement, and several pistols were discharged on both sides for nearly a quarter of an hour; when the bold robber pretended to yield his antagonists the day, by running as fast as he could from them; they pursued him very closely for near half an hour, and then suddenly turning upon them, the first mischief he did was shooting Oliver's horse, which, falling on his side as soon as wounded, broke the Protector's leg; as for his servants, he shot one of them through the head, and the other, begging quarter, it was granted; but Oliver being disabled,

he had the civility to put him on an ass, and, tying his legs under his belly, sent them both to seek their fortunes.

Three of his roguish companions being apprehended and sent to the Tolbooth, a prison in Edinburgh, they broke out, but were soon retaken, and committed to Glasgow gaol; and soon after they were executed without the gates of the city, and left hanging on the gallows, until their carcases should rot and fall away by piece-meal. Gilder Roy highly resenting the indignity thus offered to his comrades in iniquity, vowed revenge; and it not being long before he met the judge who passed the sentence upon them, in the road going to Aberdeen, he attacked his coach, first stripping his coachman and two footmen, and tying their hands and feet, threw them into a deep pond; he then robbed the judge of all he had valuable about him, cut the coach to pieces, and shot the four horses that were in it dead. But not being satisfied with this barbarity, he drove the judge into a wood, and bound him to a tree; at night he went with some of his accomplices, and putting him on a horse behind one of them, brought him to the gallows where his three comrades were still hanging; which gallows was made like a turnstile, only the beams, on each end of which is nailed a strong iron hook, to which the rope is fastened, has no motion. "Now," said Gilder Roy to the judge, "by my soul, mon, as this unlucky structure, erected to break people's craigs, is not uniform without a fourth person taking his lodging here too, I must e'en hang you upon the vacant beam." Accordingly he was as good as his word; and for fear the government should not know who was the hangman, he sent a letter to the ministers of state, to acquaint them with his proceedings. This insolence caused the legislature to contrive ways and means to suppress the audaciousness of Gilder Roy, and his companions, who were dreaded far and near; and among them one Jennet, a lawyer, promoted the law for hanging a highwayman first, and judging him afterwards; which law being approved of, it received the sanction of the Government, without any contradiction, and was often put in force against many gentlemen of the road.

Gilder Roy being thus successful in his villanies, grew so intolerably wicked, that it was his delight, not only to rob on the highway, but also to murder those who refused to give him what they had, and burn houses and barns where the least affront was offered him. But at last a second proclamation being issued for his apprehension, with a reward of one thousand marks for any one that should take him, dead or alive, one Margaret Cunningham, with whom he kept company, betrayed him when he came next to her house; which being surrounded by about fifty men, and he sensible by whom he was trepanned, ran into her bed-chamber, and murdered her; he then returned to the room from whence he came, and defended himself with such undaunted bravery, that before they could take him, he killed eight of them; but then he was overpowered and put into a dismal dungeon, in the castle of Edinburgh, where he had heavy shackles put on his legs, strong chains about his middle, and his hands fastened behind him; in that state he was kept three days and nights, without any allowance of victuals or drink; when, without any trial, he was conveyed by a strong guard to the market-cross in Edinburgh, and was there hanged on a gibbet, thirty feet high, in April, 1658, aged 34 years. He was afterwards hung in chains on another gibbet, erected ten feet higher, between that city and Leith.

If traditional report be true, it would seem that Gilder Roy belonged to the proscribed "clan Gregor;" and in these traditions many other romantic exploits are told of him. The ancient ballad recording his fall was composed not long after his death by a young woman who unfortunately was attached to him. That the ballad was popular in England before 1650 is evident from a black letter copy of it, printed at least as early as that date. Another copy occurs, with some few variations, in Playford's "Wit and Mirth," Vol. III. 1702. The sentiments and language of the olden time are not always in strict accordance with the modern prudery: we are no less prurient, but we are infinitely more precise. Certain freedoms have been skillfully pruned away by the judicious hand of Miss Halket of Pitferran, who afterwards married Sir Henry Wardlaw of Pitreavie, in Fifeshire. This amiable and accomplished lady, whose talent is well known as the authoress of "Hardiknute," has softened, expunged, and added, as necessity might require.

Gilderoy.

(From Pinkerton's "Select Scotish Ballads," vol. i., p. 62.)

GILDEROY was a bonny boy,
Had roses till his shoon;
His stockings were of silken soy,
Wi garters hanging doun.
It was, I ween, a comelie sight
To see sae trim a boy:
He was my joy, and heart's delight,
My handsome Gilderoy.

O sic twa charming een he had!
Breath sweet as ony rose:
He never ware a highland plaid,
But costly silken clothes.
He gain'd the luve of ladies gay,
Nane eer to him was coy:
Ah wae is me, I mourn the day,
For my dear Gilderoy.

My Gilderoy and I were born
Baith in ae toun together;
We scant were seven years beforn
We gan to luve ilk ither:
Our dadies and our mamies thay
Were fill'd wi mikle joy,
To think upon the bridal day
Of me and Gilderoy.

For Gilderoy, that luve of mine
Gude faith, I freely bought
A wedding sark of Holland fine,
Wi dainty ruffles wrought;
And he gied me a wedding ring
Which I receiv'd wi joy;
Nae lad nor lassie eer could sing
Like me and Gilderoy.

Wi mickle joy we spent our prime
Till we were baith sixteen,
And aft we past the langsame time
Amang the leaves sae green;
Aft on the banks we'd sit us thair,
And sweetly kiss and toy;
While he wi garlands deck'd my hair,
My handsome Gilderoy.

Oh that he still had been content
Wi me to lead his life!
But, ah, his manfu heart was bent
To stir in feats of strife.
And he in many a venturous deed
His courage bauld wad try;
And now this gars my heart to bleed
For my dear Gilderoy.

And when of me his leave he tuik,
The tears they wat mine ee:
I gied him sic a parting luik!
'My benison gang wi thee!
'God speed thee well mine ain dear heart,
'For gane is all my joy;
'My heart is rent, sith we maun part,
'My handsome Gilderoy.'

My Gilderoy, baith far and near
Was fear'd in every toun;
And bauldly bear awa the geir,
Of mony a lawland loun.
For man to man durst meet him nane,
He was sae brave a boy;
At length wi numbers he was tane,
My winsome Gilderoy.

Wae worth the louns that made the laws
To hang a man for gear;
To reave of life for sic a cause
As stealing horse or mare!
Had not their laws been made sae strick
I neer had lost my joy;
Wi sorrow neer had wat my cheek
For my dear Gilderoy.

Gif Gilderoy had done amiss,
He mought hae banisht been;—
Ah what fair cruelty is this,
To hang sic handsome men!
To hang the flower o Scotish land,
Sae sweet and fair a boy:—
Nae lady had sae white a hand
As thee, my Gilderoy.

Of Gilderoy sae fear'd they were,
Wi irons his limbs they strung;
To Edinborow led him thair,
And on a gallows hung.
They hung him high aboon the rest,
He was sae bauld a boy;
Thair dyed the youth wham I lued best,
My handsome Gilderoy.

Sune as he yielded up his breath
I bare his corse away,
Wi tears, that trickled for his death,
I wash'd his comelie clay;
And siker in a grave right deep
I laid the dear lued boy:
And now for ever I maun weep,
My winsome Gilderoy.

VII.

PROCEEDINGS AGAINST DR. JOHN FORBES.

(Diary of Dr. Forbes fol. 143-4.)

Vpon the 28th day of Julie, 1640, began the generall assemblie, which was holden in the colledge kirk of New Aberdene, and that day they kept a fast and hade sermons in that kirk. The morning sermon was preached by Mr. David Dicksone, (who hade bene moderator of the last generall assemblie at Edinbrugh), vpone theise words of the apostle: "For I determined not to know any thing among you save Jesus Christ and him crucified." A pastor ought to speake and doe determinatly, and not vnadvysedly, and lay aside other things that are hinderances, as enticing words of man's wisedome, vaine glorie, worldly distractions, &c. To know Christ signifieth hier so to know him, that we also loue him, and beeliue in him, and by experimentall knowledge be acquainted with him; and especially to know him crucified for our redemption: This is life eternall, that they might know thee the only true God, and Jesus Christ whom thou hast sent.—John xvii. 3. And the apostle saith, that I may know him, and the power of his resurrection, and the fellowship of his sufferings, being made conformable vnto his death.—Philip. iii. 10; also to know nothing but Christ crucified, is to professe nothing, to teach nothing, to glorie in nothing but Christ crucified, to seeke not our owne glory, but the glory of him that sent vs. For we preach not our selues, but Christ the Lord, and our selues your servants for Jesus sake.—2 Cor. iv. 5. I did keepe the fast that day with the assemblie, and I cryed vpon God both their and elsewhere, and I found joyful comfort, praised be the Lord. Amen.

Vpon the 29th of Julie, I remained an hearer in the assemblie all that session, and about the end of the session, my name, with the names of some others who hade beene charged, being called, I answered, and offered to come neerer to the moderator; but I was stayed, and bidden attend the assemblie euery day, and to remaine without the assemblie house, which I promised to obey.

Vpone the 30th day of Julie, 1640, in the morning early, revolving what hade passed yesterday, I found that in my words before the assembly, there were some which I should rather not haue spoken, and that I hade omitted some words which hade been very convenient to be spoken; and fearing lest any offence haue arisen therby in the mynds of any brethren, and fearing desertion, I prayed and wept vnto God for mercy, and that he would remeid and remoue all offences given by me to any, or taken by any at me, that day or at any tyme, and to be with my heart and with my mouth, and to grant me mercy and grace in his sight, and convenient mercy and fauour in the eyes of all with whome I haue to doe; and I was comforted in God: to him be glorie for euer. Amen.

Vpon the 31st day of Julie, 1640, I repeted the same petitions to God, and I was comforted.

Vpon the first of August, 1640, I compeared before the committee of the generall assemblie, and being questioned vpon many things, I found God's mercifull presence so euidently with me, as notwithstanding of my scruples concerning the couenant, and of my wreittings, yet they were pleased with me. Also they tooke in good part my answeris to other questions vpon the 4th and 5th dayes of the same moneth. Now, all the dayes of the generall assemblie, I prayed euery day day with groans and teares vnto God to be with me, and give me a comfortable outgett and a blessed event, and to forgiue all my sinnes; and the Lord heard me; praised be the Lord.

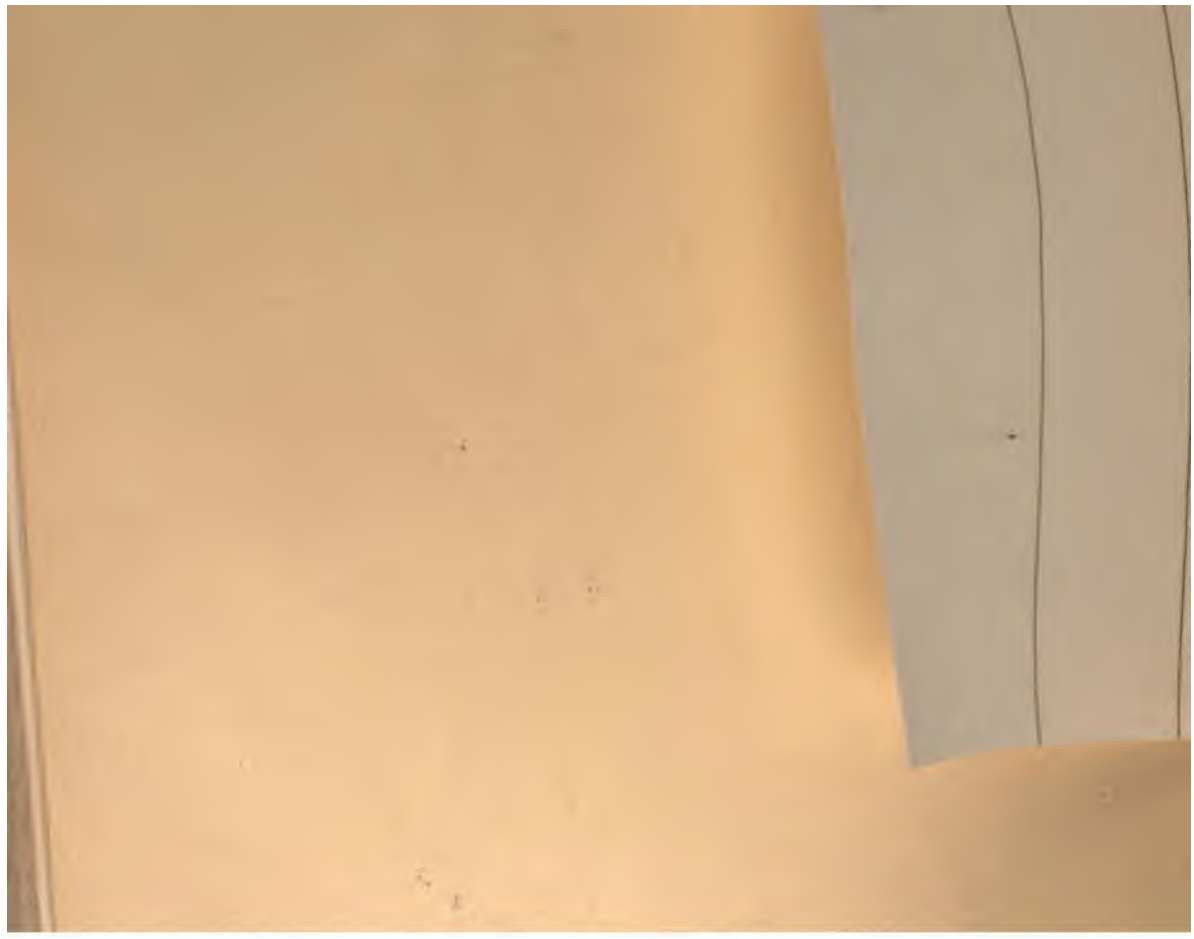
Vpon the 5th day of August, 1640, I was called, and I compeared before the generall assemblie, and the moderator therof Mr. Andro Ramsay said to me, in name and in presence of the whole assemblie, that the generall assemblie hath found me ingenuous and orthodoxe, and nather Papist nor Arminian, and as for my different judgement concerning the couenant, they should intimate their will vnto [me] the next morning. When I heard

this. I answered and thanked God, and thanked this venerable assemblie for this testimonie of me, and I promised to set my self to give them all contentment sincerly, so farre as my conscience would permitt.

Vpon the 6th day of August, 1640, being called, I compeared againe before the generall assemblie, and the moderator therof did give me againe publikly, in name of the assemblie, that same testimonie of ingenuitie and orthodoxie which they hade giuen me the preceeding day, and declared vnto me that it is the will of the assemblie that I take journey and goe to Edinbrugh, some dayes after the assemblie, and there conferre with the brethren of that presbyterie anent the couenant. I acknowledged this to be a favour done vnto me, and promised to obey, requesting with all, that whether after conference we agreed or not, they would continow their loue toward me vpon my good bearing, and I promised to heare and consider sincerly and vnpartially all the reasouns that should be represented vnto me, and that no wilfulnesse or hardnesse of heart, nor honour or dishonour, nor any other respect worldly shall hinder me from embracing and professing that which I shall find to be true. I shall pray to God, and I trust in his grace. And when I desired them to continow their loving affection to me, they answered me kyndly that I might referre that to them of the committee to be at Edinbrugh, and that I might expect favourable vsage, so farre as might consist with the publike good of the kirk of Scotland, which they must preferre to any priuat man. I answered it is very good reasoun. And thus I was dismissed with loue and vnanimous good lyking of the whole generall assemblie, and of all the members therof, both of lairne and of the clergie. And I came from them rejoycing and praising God, who hath hade mercy vpon me, and hath giuen me this loving favour of the generall assemblie, and hath made my freinds to rejoyce and praise God with me, and for me and myne enemies he hath made to be at peace with me, and to become my freinds, and he hath confounded my spirituall enemies, and hath made all the beholders of this great mercy of God toward me to admire and magnifie the wonderfull providence of God, and his most excellent loving kyndnesse and the trueth of his saluation to all them that trust in his mercy and call vpon his name. EL—Elohe—Israel. Blessed be the Lord for he hath shewed me his marvelous kindnesse in a strong citie.

After this, that same day, I being alone in the field, and meditating on all theise things, I fell doune vpon my face and praised God with teares of joy. He hath deliuered my soule in peace from the battell that was against me: for there were many with me. O Lord, thou hast pleaded the cause of my soule, for the Lord hath dealt bountifully with thee. What shall I render vnto the Lord for all his benefits towards me? O Lord, my goodness extendeth not to thee. O Lord, sanctifie my whole spirit, and soule, and body, wholly vnto thy selfe. Thy vowes are vpon me, O God. I will render praises vnto thee, for thou hast deliuered my soule from death. Wilt thou not deliuer my feete from falling? that I may walke before God in the light of the living. Lord lead me, preserue and blesse me in this intended journey to Edinbrugh, and bring me home againe in peace with a good conscience. This I asked fervently with teares, and the Lord graciously heard my prayer, assuring me that he will go with me, and bring me againe in peace, and he will shew me his saluation, so that I shall finish my course with joy, and depart in peace in the sight of his saluation. I was hereby exceedingly comforted in the Lord my God, against the feare of this journey to Edinbrugh, and of my weaknesse, and of the assaults attending me their, and against the feare of death. Blessed be the name of the Lord for ever and ever. Amen.

THE END OF THE FIRST VOLUME



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